WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4708

BY DELEGATES WILSON, BIBBY, DEAN, PAYNTER AND J.

JEFFRIES

[Introduced February 05, 2020; Referred to the

Committee on the Judiciary]

1   A BILL to amend and reenact §3-1-8 of the Code of West Virginia,1931, as amended, relating

2   what constitutes a political party.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-8. Political party defined; parties or groups that may participate in municipal primary elections.

1   Any affiliation of voters representing any principle or organization which, at the last

2   preceding general election, polled for its candidate for Governor at least one per cent of the total

3   number of votes cast for all candidates for that office in the state, or any affiliation of voters with

4   a statewide membership equal to or greater than one percent of the total number of votes cast for

5   all candidates for Governor in the last regular general election shall be a political party, within the

6   meaning and for the purpose of this chapter: *Provided,* That notwithstanding the foregoing

7   provisions of this section, the governing body of any municipality may, by ordinance adopted by

8   the affirmative vote of at least three fourths of the members of such governing body by recorded

9   vote, provide that municipal political parties or groups within such municipality that do not meet

10 the requirements of this section for classification as a political party may participate in the primary

11 elections of any such municipality. Any such ordinance shall contain provisions implementing the

12 foregoing proviso, which implementing provisions shall conform as nearly as practicable to any

13 general provisions of law relating to municipal primary elections.

NOTE: The purpose of this bill is to expand the definition of political party for the purposes of election law.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.