

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 46

BY SENATORS HAMILTON, LINDSAY, AND GRADY

[Introduced February 10, 2021; referred
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §3-10-5a, relating to requiring one-year residency within the district or county
 3 prior to appointment to fill a vacancy to a seat in the Legislature.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. FILLING VACANCIES.

**§3-10-5a. Residency within district or county required for one year prior to appointment to
vacancy in State Legislature.**

1 No person shall be appointed to fill a vacancy in the office of State Senator or as a member
 2 of the House of Delegates who has not for one year preceding the appointment been a resident
 3 within the district or county he or she will represent.

NOTE: The purpose of this bill is to the require residency of a person within the district or county he or she will represent for one year prior to any appointment to a vacancy in the office of State Senator or as a member of the House of Delegates.

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