

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4299**

BY DELEGATES HOLSTEIN, HORST, SYPOLT, HANNA,  
LINVILLE, WAMSLEY, KEATON, KIMBLE, PACK, SUMMERS,  
AND TULLY

[Introduced January 20, 2022; 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 §3-9-21, relating to prohibiting certain intentional actions obstructing or  
3 interfering with a voter during hours that polls are open for in-person voting in an election;  
4 and creating a misdemeanor crime of certain intentional actions obstructing or interfering  
5 with a voter during hours that polls are open for in-person voting in an election and  
6 establishing penalties thereto.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 9. OFFENSES AND PENALTIES.**

**§3-9-21. Improper interference with voters' travel to and from the polls; penalties.**

1 (a) During the hours that polls are open for in-person voting in an election, no person may  
2 obstruct or interfere with a voter with the intention to delay, hinder, interrupt, harass, or intimidate  
3 a voter traveling to or from the polls: *Provided*, That properly conducted exit polls, as provided by  
4 the Secretary of State's administrative rules, are not prohibited by this section.

5 (b) Any person who violates the provisions of this section is guilty of a misdemeanor, and,  
6 upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000, or confined in  
7 jail not more than one year, or both fined and confined.

NOTE: The purpose of this bill is to prohibit certain intentional actions obstructing or interfering with a voter.

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