

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4680

BY DELEGATE HAYNES

[Introduced February 15, 2022; Referred to the
Committee on Political Subdivisions then the
Judiciary]

1 A BILL to amend and reenact §7-1-1b of the Code of West Virginia, 1931 as amended, relating
2 to modifying qualifications for county commissioners.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-1b. ~~Legislative findings; qualifications~~ Qualifications for county commissioners.

1 ~~(a) The Legislature finds that:~~

2 ~~(1) There is confusion concerning when a candidate for county commission must be a~~
3 ~~resident of the magisterial district he or she wants to represent;~~

4 ~~(2) The supreme court has discussed the residency requirement in several cases and has~~
5 ~~conflicting interpretations;~~

6 ~~(3) It is imperative that this issue be permanently resolved at the time of filing to ensure~~
7 ~~the citizens have choice on the ballot;~~

8 ~~(4) It is essential the citizens know they are voting for a person who is qualified to be a~~
9 ~~candidate; and~~

10 ~~(5) With the expense of holding an election, tax payer moneys should not be wasted of~~
11 ~~officials who could never serve~~

12 ~~(b) A candidate for the office of county commissioner shall be a resident from the~~
13 ~~magisterial district for which he or she is seeking election:~~

14 ~~(1) By the last day to file a certificate of announcement pursuant to section seven, article~~
15 ~~five, chapter three of this code; or~~

16 ~~(2) At the time of his or her appointment by the county executive committee or the~~
17 ~~chairperson of the county executive committee~~

18 (1) At least one year prior to the general election in which he or she would be elected; or

19 (2) At least one year prior to his or her appointment by the county executive committee or
20 the chairperson of the county executive committee.

NOTE: The purpose of this bill is to modify the qualifications for county commissions.

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