

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4449

BY DELEGATES ESPINOSA, HOLSTEIN, BARRETT, CRISS,

WESTFALL, CLARK, HOUSEHOLDER, AND HARDY

[Introduced January 31, 2022; Referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §3-2-6 of the Code of West Virginia, 1931, as amended, relating to
2 clarifying the uniform statewide deadline for electronically submitted voter registration
3 applications.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. REGISTRATION OF VOTERS.

§3-2-6. Time of registration application before an election.

1 (a) Voter registration before an election closes on the 21st day before the election or on
2 the first day thereafter which is not a Saturday, Sunday, or legal holiday.

3 (b) An application for voter registration, transfer of registration, change of name, or change
4 of political party affiliation submitted by an eligible voter by the close of voter registration is
5 effective for any subsequent primary, general, or special election if the following conditions are
6 met:

7 (1) The application contains the information required by §3-2-5(c) of this code. Incomplete
8 applications for registration containing information which are submitted within the required time
9 may be corrected within four business days after the close of registration if the applicant provides
10 the required information; and

11 (2) The application is received by the appropriate clerk of the county commission no later
12 than the hour of the close of registration or is otherwise submitted by the following deadlines:

13 (A) If mailed, the application shall be addressed to the appropriate clerk of the county
14 commission and is postmarked by the postal service no later than the date of the close of
15 registration. If the postmark is missing or illegible, the application is presumed to have been mailed
16 no later than the close of registration if it is received by the appropriate clerk of the county
17 commission no later than the third day following the close of registration;

18 (B) If accepted by a designated agency or motor vehicle licensing office, the application is
19 received by that agency or office no later than the close of registration;

20 (C) If accepted through a registration outreach program, the application is received by the

21 clerk, deputy clerk, or registrar no later than the close of registration;

22 (D) If accepted through an approved electronic voter registration system, the application
23 is received by the clerk of the county commission or other entity designated by the Secretary of
24 State ~~no later than the close of business~~ by 11:59 p.m. on the final day of registration; and

25 (3) The verification notice required by §3-2-16 of this code mailed to the voter at the
26 residence indicated on the application is not returned as undeliverable.

NOTE: The purpose of this bill is to clarify the uniform statewide deadline for electronically submitted voter registration applications.

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