

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Introduced**

### **House Bill 2782**

By Delegates Chiarelli, Foster, Kirby, Willis, Brooks,  
Keaton, Hanna, Hornby, C. Pritt, and McGeehan

[Introduced January 18, 2023; Referred to the  
Committee on Political Subdivisions then the  
Judiciary]

1 A BILL to amend and reenact §3-1-31 of the Code of West Virginia, 1931, as amended, relating to  
2 requiring that municipal elections be held concurrently with regularly scheduled primary or  
3 general elections.

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

## **ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

### **§3-1-31. Days and hours of elections; scheduling of local elections; extension or shortening of terms of certain elected local officials.**

1 (a) General elections shall be held in the several election precincts of the state on the  
2 Tuesday next after the first Monday in November of each even year. Primary and special elections  
3 shall be held on the days provided by law therefor: *Provided*, That beginning July 1, 2022, all local  
4 municipal elections ~~may~~ shall be held concurrently with a regularly scheduled statewide primary or  
5 general election. ~~In exercising this right, a municipality may negotiate an agreement with the~~  
6 ~~county commission to establish the election date, election officials, registration books to be used,~~  
7 ~~and other matters pertaining to changing the municipal election to be held on the same day as a~~  
8 ~~regularly scheduled statewide primary or general election: *Provided, however, That a* A~~  
9 ~~municipality which enters into an agreement with a county commission to hold~~ holds an elections  
10 at the same time as a regularly scheduled statewide primary or general election day pursuant to  
11 §8-5-5 of this code shall share in the administrative costs of holding the election: ~~but which~~  
12 *Provided, however, That the* municipality's costs shall not exceed the municipality's pro rata share  
13 of voters registered in the municipality compared with the total voters registered in the county:  
14 *Provided further*, That the municipality shall also comply with the requirements of §8-5-5 of this  
15 code regarding an agreement with the county regarding use of county election officials in  
16 municipal elections.

17 (b) At every primary, general, or special election the polls shall be opened in each precinct  
18 on the day of the election at 6:30 in the morning and be closed at 7:30 in the evening.

NOTE: The purpose of this bill is to require that municipal elections be held concurrently with regularly scheduled primary or general elections.

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