

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

## **Senate Bill 234**

BY SENATORS JEFFERIES AND WOELFEL

[Introduced January 16, 2023; referred  
to Committee on Government Organization]



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 ~~the provisions of~~ §3-2-16 of this code mailed to the  
26 voter at the residence indicated on the application is not returned as undeliverable.