

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4426

FISCAL
NOTE

By Delegates Kump and Ward

[Introduced January 10, 2024; Referred
to the Committee on Political Subdivisions then the
Judiciary]

1 A BILL to amend and reenact §3-1-23 of the Code of West Virginia, 1931, as amended, all relating
2 to requiring that all voting precincts to be in different physical locations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-23. County commission to arrange polling places and equipment; requirements.

1 The county commission in each county, before each election, shall secure, for each voting
2 precinct in the county, a suitable room or building in which to hold the election. Each voting precinct
3 shall have a physical location that is separate from any other voting precinct. ~~and~~ The county
4 commission shall cause the same to be suitably ensure the room or building is provided with heat,
5 drinking water, and light, and a sufficient number of booths or compartments, each containing a
6 table, counter, or shelf, and furnished with proper supplies for preparing ballots, at or in which
7 voters may conveniently prepare their ballots, so that in the preparation thereof they may be
8 secure from the observation of others. The number of such booths or compartments shall not be
9 less than two. Such room or building shall be located in such precinct: *Provided*, That upon a
10 determination a of the county commission that a suitable room or building in which to hold the
11 election is not reasonably available in such precinct then the county commission may secure a
12 suitable room or building in which to hold the election for such precinct in an adjacent precinct in
13 said county, in a location as near as may be to the territory of the precinct for which such room or
14 building is provided. At any polling place for which parking spaces are available nearby, at least
15 one parking space shall be reserved for handicapped voters and clearly designated as such.

NOTE: The purpose of this bill is to provide that the county commission must each voting precinct be provided a physical location separate from any other voting precinct in the county.

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