

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4436

By Delegate s Chiarelli, Hornby, Adkins, Willis and
Martin

[Introduced January 10, 2024; 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 elections holds an~~
10 ~~election at the same time as a regularly scheduled statewide primary or general election day~~
11 ~~pursuant to §8-5-5 of this code shall share in the administrative costs of holding the election: but~~
12 ~~which *Provided, however, That* the municipality's costs shall not exceed the municipality's pro rata~~
13 ~~share of voters registered in the municipality compared with the total voters registered in the~~
14 ~~county: *Provided further*, That the municipality shall also comply with the requirements of §8-5-5 of~~
15 ~~this 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.