

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5523**

By Delegates Cooper, Horst, Smith, Winzenreid,  
Hornby, Forsht, Hite, Butler, Jennings, Heckert, and  
Ridenour

[Introduced February 08, 2024; Referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §3-2-27 of the Code of West Virginia, 1931, as amended, to  
 2 authorize cancellation of voter registration records for individuals who are no longer West  
 3 Virginia citizens and have obtained a driver's license in another state.

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

**ARTICLE 2. REGISTRATION OF VOTERS.**

**§3-2-27. Procedure following sending of confirmation notices; correction or cancellation of  
 registrations upon response; designation of inactive when no response;  
 cancellation of inactive voters; records.**

1 (a) Upon receipt of a confirmation response card mailed pursuant to the provisions of  
 2 section twenty-six of this article and returned completed and signed by the voter, the clerk shall  
 3 either:

4 (1) Update the voter registration by noting the confirmation of the current address if no  
 5 other changes are requested or by entering any change of address within the county, change of  
 6 name or other correction requested by the voter; or

7 (2) Cancel the voter's registration if the voter confirms that he or she has moved out of the  
 8 county.

9 (b) Upon receipt of the confirmation notice returned undeliverable, the clerk may either:

10 (1) Send a second confirmation notice to the old residence address if the first notice was  
 11 sent to a new address provided by the postal service; or

12 (2) Designate the registration as "inactive" or transfer it to the inactive voter registration file,  
 13 as defined in section nineteen of this article.

14 (c) If no response to the confirmation notice is received by February 1 following the mailing  
 15 of the confirmation notice, the clerk shall designate the registration as "inactive" or transfer it to the  
 16 inactive voter registration file as provided in section nineteen of this article.

17 (d) An inactive voter registration shall be returned to active status or transferred to the  
 18 active voter registration file upon the voter's application to update the registration or to vote in any

19 election while they remain on the inactive list.

20 (e) The clerk of the county commission shall cancel the records of all voters on the inactive  
21 file who have not responded to the confirmation notice, otherwise updated their voter registrations  
22 or voted in any state, county or municipal primary, general or special election held within the  
23 county during a period beginning on the date of the notice and ending on the day after the date of  
24 the second general election for federal office which occurs after the date of the notice.

25 (f) Upon notification by the Secretary of State, the clerk of the county commission shall  
26 cancel the records of all voters who are no longer West Virginia citizens and have obtained a  
27 driver's license in another state based on information provided by the Division of Motor Vehicles  
28 under §3-2-4a(g) of this code.

NOTE: The purpose of this bill is to authorize cancellation of voter registration records for individuals who are no longer West Virginia citizens and have obtained a driver's license in another state.

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