

# WEST VIRGINIA CODE: §3-3-12

## **§3-3-12. Rules, regulations, orders, instructions, forms, lists and records pertaining to absentee voting.**

(a) The Secretary of State shall make, amend and rescind rules, regulations, orders and instructions, and prescribe forms, lists and records, and consolidation of forms, lists and records as may be necessary to carry out the policy of the Legislature as contained in this article and as may be necessary to provide for an effective, efficient and orderly administration of the absentee voter law of this state. In the case of West Virginia voters residing outside the continental United States, the Secretary of State shall promulgate rules and regulations necessary to implement procedures relating to absentee voters contained in 42 U.S.C. §1973, et seq., the Uniformed and Overseas Citizens Absentee Voting Act of 1986 and shall forward a copy of the act to all officials designated to supervise and conduct absentee voting before January 1, of each even-numbered year.

(b) The Secretary of State may establish special procedures to allow absentee voting for those categories of registered voters who, because of special circumstances, would otherwise be unable to vote in the election.

(c) It is the duty of all officials designated to supervise and conduct absentee voting, other county officers, and all election commissioners and poll clerks to abide by the rules, regulations, orders and instructions and to use the forms, lists and records which may include or relate to:

- (1) The consolidation of the two application forms provided for in this article into one form;
- (2) The size and form of absent voter's ballot envelope nos. 1 and 2, and carrier envelopes;
- (3) The information which is to be placed on absent voter's ballot envelope no. 1 and the forms and information which are to be placed on absent voter's ballot envelope no. 2;
- (4) The forms and manner of making the challenges to absentee ballots authorized by this article;
- (5) The forms of, information to be contained in, and consolidation of lists and records pertaining to applications for, and voting of, absentee ballots and assistance to persons voting absentee ballots;
- (6) The supplying of application forms, envelopes, challenge forms, lists, records and other forms; and
- (7) The keeping and security of voted absentee ballots in the office of the official designated to supervise and conduct absentee voting.