WEST VIRGINIA CODE: §3-3-6

§3-3-6. Assistance to voter in voting an absentee ballot by mail.

(a) No voter shall receive any assistance in voting an absentee ballot by mail unless he or she shall make a declaration at the time he or she makes application for an absentee ballot that because of blindness, physical disability, advanced age, or inability to read or write he or she requires assistance in voting an absentee ballot.

(b) Upon receipt of an absentee ballot by mail, the voter who requires assistance in voting such ballot and who has indicated he or she requires such assistance and the reasons therefor on the application may select any eligible person to assist him or her in voting.

(c) The person providing assistance in voting an absentee ballot by mail shall make an affidavit on a form as may be prescribed by the Secretary of State, that he or she will not in any manner request, seek to persuade, or induce the voter to vote any particular ticket or for any particular candidate or for or against any public question; that he or she will not keep or make any memorandum or entry of anything occurring within the voting booth or compartment; and that he or she will not, directly or indirectly, reveal to any person the name of any candidate voted for by the voter, which ticket the voter voted, or how the voter voted on any public question, or anything occurring within the voting booth, compartment, or voting machine booth, except when required, pursuant to law, in a judicial proceeding.

(d) The term “assistance in voting”, as used in this section, means assistance in physically marking the official absentee ballot for a voter or reading or directing the voter’s attention to any part of the official absentee ballot.

WV Legislature