

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



## ENROLLED

HOUSE BILL No. 12

(By Mr. Matthews Taylor)



PASSED March 1- 1937

In Effect 90 days from Passage

**ENROLLED**

**House Bill No. 12**

(BY MESSRS. MATTHEWS and TAYLOR, of Fayette)

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[Passed March 1, 1937; in effect ninety days from passage.]

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AN ACT to amend article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new section designated section six-(a), imposing filing fees on candidates in primary elections and providing for the disposition of moneys collected from such fees.

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

That article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, be and the same is hereby amended by adding thereto a new section designated section six-(a), as follows:

Section 6-(a). *Filing Fees.* Every person, who becomes a  
2 candidate for nomination for office in any primary election.  
3 shall, at the time of filing the certificate of announcement as

4 required in section six of this article, pay a filing fee as  
5 follows:

6 (a) A candidate for United States senator, for  
7 member of the United States house of representa-  
8 tives, for Governor and for all other state elective  
9 offices shall pay a fee equivalent to one per cent  
10 of the annual salary of the office for which the  
11 candidate announces.

12 (b) A candidate for member of the house of delegates  
13 shall pay a fee of ten dollars, and a candidate for state  
14 senator shall pay a fee of twenty dollars.

15 (c) A candidate for sheriff, prosecuting attorney, cir-  
16 cuit clerk, county clerk, assessor, member of the county  
17 court and member of the county board of education shall  
18 pay a fee equivalent to one per cent of the annual sal-  
19 ary of the office for which the candidate announces:  
20 *Provided, however,* That the fee in no case shall be less than  
21 five dollars. A candidate for any other county office shall  
22 pay a fee of five dollars.

23 (d) A candidate for justice of the peace in districts having  
24 a population of five thousand or less, shall pay a fee of ten

25 dollars; in districts having a population of more than five  
26 thousand and not more than twenty-five thousand, fifteen  
27 dollars, and in districts having more than twenty-five thou-  
28 sand population, each candidate shall pay a fee of twenty-  
29 five dollars.

30 (e) A candidate for constable in districts having a popu-  
31 lation of five thousand or less, shall pay a fee of five dollars;  
32 in districts having a population of more than five thousand  
33 and not more than twenty-five thousand, ten dollars, and in  
34 all other districts fifteen dollars.

35 (f) Delegates and alternate delegates to the national  
36 convention of any political party shall pay the following  
37 filing fees:

38 A candidate for delegate-at-large shall pay a fee of twenty  
39 dollars; a candidate for alternate delegate-at-large shall pay  
40 a fee of ten dollars; a candidate for delegate from a con-  
41 gressional district shall pay a fee of ten dollars; and a  
42 candidate for alternate delegate from a congressional dis-  
43 trict shall pay a fee of five dollars.

44 (g) Candidates for members of political executive com-

mittees and other political committees shall pay the following filing fees:

A candidate for member of a state executive committee of any political party shall pay a fee of ten dollars; a candidate for member of a county executive committee of any political party shall pay a fee of one dollar; and a candidate for member of a congressional, senatorial or judicial committee of any political party shall pay a fee of one dollar.

Candidates filing for an office to be filled by the voters of one county shall pay the filing fee to the clerk of the circuit court, and candidates filing for an office to be filled by the voters of more than one county shall pay the filing fee to the secretary of state at the time of filing their certificates of announcement, and no certificate of announcement shall be received until the filing fee is paid.

All moneys received by the circuit clerk from such fees shall be credited to the general county fund. Moneys received by the secretary of state from fees paid by candidates for offices to be filled by all the voters of the state shall be deposited in a special fund for that purpose and

66 shall be apportioned and paid by him to the several counties  
67 on the basis of population, and that received from candidates  
68 from a district or judicial circuit or more than one county  
69 shall be apportioned to the counties comprising the district or  
70 judicial circuit in like manner. When such moneys are re-  
71 ceived by sheriffs, it shall be credited to the general county  
72 fund.

73 If any sentence, clause or phrase of this act shall for any  
74 reason be held unconstitutional, the validity of the remain-  
75 ing sentences, clauses or phrases shall not be affected thereby.

76 All acts or parts of acts inconsistent or in conflict with  
77 the provisions of this act are hereby repealed.

I certify that the foregoing act,  
having been presented to the Governor for  
his approval, and not having been returned  
by him to the House of the Legislature in  
which it originated within the time pre-  
scribed by the constitution of the state, has  
become a law without his approval.

This the 11<sup>th</sup> day of March,  
1937.....

  
**SECRETARY OF STATE**

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.




Chairman Senate Committee



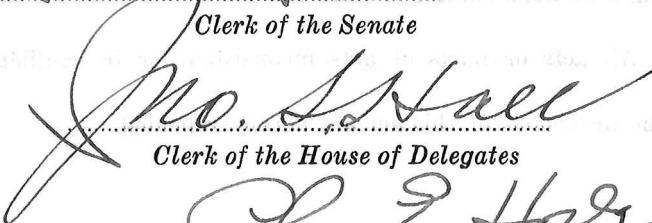
Chairman House Committee

Originated in the.....

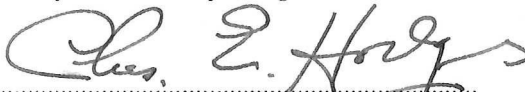
Takes effect.....passage.



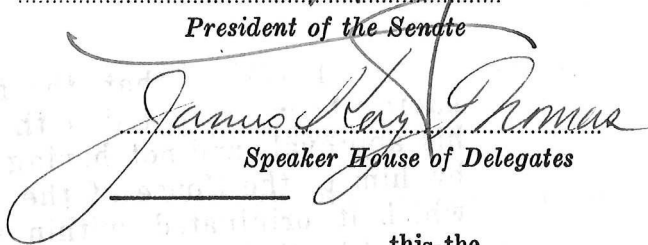
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker House of Delegates

The within.....this the.....

day of....., 1937.

.....  
Governor.

Filed in the office of the Secretary of State  
of West Virginia.

MAR 11 1937

Wm. S. O'BRIEN,  
Secretary of State