WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

HOUSE BILL No. 12

(By Matthew T. Taylor)

PASSED March 1, 1937

In Effect 90 days from Passage
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 candidate for nomination for office in any primary election, shall, at the time of filing the certificate of announcement as
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required in section six of this article, pay a filing fee as
follows:

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

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

(c) A candidate for sheriff, prosecuting attorney, cir-
cuit clerk, county clerk, assessor, member of the county
court and member of the county board of education shall
pay a fee equivalent to one per cent of the annual sal-
ary of the office for which the candidate announces:

Provided, however, That the fee in no case shall be less than
five dollars. A candidate for any other county office shall
pay a fee of five dollars.

(d) A candidate for justice of the peace in districts having
a population of five thousand or less, shall pay a fee of ten
dollars; in districts having a population of more than five
thousand and not more than twenty-five thousand, fifteen
dollars, and in districts having more than twenty-five thou-
sand population, each candidate shall pay a fee of twenty-
five dollars.

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

(f) Delegates and alternate delegates to the national
convention of any political party shall pay the following
filing fees:
A candidate for delegate-at-large shall pay a fee of twenty
dollars; a candidate for alternate delegate-at-large shall pay
a fee of ten dollars; a candidate for delegate from a con-
gressional district shall pay a fee of ten dollars; and a
candidate for alternate delegate from a congressional dis-
trict shall pay a fee of five dollars.

(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
shall be apportioned and paid by him to the several counties on the basis of population, and that received from candidates from a district or judicial circuit or more than one county shall be apportioned to the counties comprising the district or judicial circuit in like manner. When such moneys are received by sheriffs, it shall be credited to the general county fund.

If any sentence, clause or phrase of this act shall for any reason be held unconstitutional, the validity of the remaining sentences, clauses or phrases shall not be affected thereby.

All acts or parts of acts inconsistent or in conflict with 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 prescribed by the constitution of the State, has become a law without his approval.

This the [11th] day of March, 19[37]...

[Signature]

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

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: 

Wm. S. O'Brien, Secretary of State