ENROLLED

House Bill No. 16
(BY MR. JAMES R. EWING)

[Passed March 7, 1941: in effect ninety days from passage.]

AN ACT to amend and reenact sections six and eight, article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, relating to announcement and certification and posting of candidacies.

Be it enacted by the Legislature of West Virginia:

That sections six and eight, article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 6. Announcement of Candidacies.—Any person who is eligible to hold an office (including that of member of a state or county executive committee) may file with the secretary of state, if it be an office to be filled by the voters of more than one county, or with the clerk
of the circuit court, if it be for an office to be filled by the
voters of a county or a subdivision less than a county, a
certificate declaring himself a candidate for the nomina-
tion for such office; which certificate shall be in form or
effect as follows:

I, ____________________________, hereby certify that
I am a candidate for the nomination for the office
__________________________ to represent the__________________
party, and desire my name printed on the official ballot
of said party to be voted at the primary election to be
held on the______________day of______________, 19_____; that
I am a legally qualified voter of the county of______________,
state of West Virginia; that my residence is number_____
______of____________________ street in the city (or
town) of__________________ in________________ county
in said State; that I am eligible to hold the said office;
that I am a member of and affiliated with said political
party; that I am a candidate for said office in good faith.

__________________________
Candidate.
Signed and acknowledged before me this ___________ day of
__________________________, 19___

Signature and official title

of person before whom

signed.

Such announcement shall be signed and acknowledged
by the candidate before some officer qualified to admin-
ister oaths, who shall certify the same: Provided, That
no person may be a candidate for nomination for office
in any political party, unless it be openly known that
such person is a bona fide member of such party.

Such certificate shall be filed with the secretary of
state or the clerk of the circuit court, as the case may be,
on or before the fifth Saturday preceding the primary
election day, and must be received before midnight, east-
ern standard time, of that day or, if mailed, shall be post-
marked before that hour.

Sec. 8. Certification and Posting of Candidacies.—On
the Monday following the fifth Saturday preceding the
day fixed for the primary election, the secretary of state
shall arrange the names of all the candidates, who have 
filed announcements with him, as provided in this article, 
and who are entitled to have their names printed on any 
political party ballot, in accordance with the provisions of 
this chapter, and shall forthwith certify the same under 
his name and the lesser seal of the state, and file the same 
in his office, and make and transmit a duplicate thereof 
by registered mail to the clerk of the circuit court of 
each county, in the state, in which such candidate or 
candidates is or are to be voted for. He shall also post a 
duplicate of such list or lists in a conspicuous place in 
his office, and keep the same posted until after the pri-
mary election. In case of emergency, the secretary of 
state may transmit such duplicate list or lists by tele-
graph. The certificates to be made by the secretary of 
state as herein provided shall give the name and resi-
dence of each candidate, the office for which he is a 
candidate, the name of the political party of which he 
is a candidate, and upon what ballot his name is to be 
printed.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

G. H. McHose
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Cathal O'Farrell
Clerk of the Senate

Clerk of the House of Delegates

Byron T. Randolph
President of the Senate

Malcolm P. Arnold
Speaker House of Delegates

The within is approved this the 14th day of
March, 1941.

Matthew H. Neely
Governor.

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

Wm. S. O'Brien,
Secretary of State