WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1951

ENROLLED

HOUSE BILL No. 9

(By Mr. Mills)

PASSED February 8, 1951

In Effect Ninety days from Passage
AN ACT to amend and reenact section twenty-three, article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, relating to filing fees with respect to vacancies in nominations.

Be it enacted by the Legislature of West Virginia:

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

**Article 4. Nomination of Candidates.**

Section 23. Vacancies in Nominations; Filing Fees.—

2 If any vacancy shall occur in the party nomination of candidates for office, caused by death, withdrawal, failure to make a nomination for the office at the primary election, or otherwise, it may be filled and the name of the candidate certified by the executive committee, of the political party for the political division in which the
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8 vacancy occurs. If such vacancy be not filled by the executive committee, if it be for an office to be filled by the
takers of the entire state, within thirty days next preceding the date of election, or if it be for any other office,
within twenty days next preceding the date of election, if such committee fail or refuse to meet, it shall be lawful
for the chairman of the political party executive com-
mittee for the political division to fill such vacancy and
make a certificate thereof and file the same with the
officer with whom the original certificate of nomination
was, should or might have been, regularly filed. And it
shall be the duty of the officer with whom such certificate
is filed to receive and proceed with the same in all
respect as an original nomination: Provided, That where
the vacancy exists because of a failure to make a nomi-
ation for the office at the primary election, no nomination
under this section shall be deemed filed until a filing fee
shall have been paid in an equal amount and to the same
office that a candidate for the nomination to the position
being filled under this section is required to pay under
section six-a of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

A. R. Winters  
Chairman Senate Committee

James W. List  
Chairman House Committee

Originated in the House of Delegates

Takes effect Ninety days from passage.

Howard Higby  
Clerk of the Senate

J. R. Alliff  
Clerk of the House of Delegates

James W. Florie  
President of the Senate

W. E. Hanes  
Speaker House of Delegates

The within approved this the 15th day of February, 1951.

O. L. Patterson  
Governor

[Stamp: In the office of the Secretary of State]  
[Stamp: February 15, 1951]  
D. Pitt O'Brien,  
Secretary of State