

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 9

(By Mr. Mills)



PASSED February 8, 1951

In Effect Ninety days from Passage



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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
3 candidates for office, caused by death, withdrawal, fail-
4 ure to make a nomination for the office at the primary
5 election, or otherwise, it may be filled and the name of
6 the candidate certified by the executive committee, of the
7 political party for the political division in which the

8 vacancy occurs. If such vacancy be not filled by the execu-
9 tive committee, if it be for an office to be filled by the
10 voters of the entire state, within thirty days next pre-
11 ceding the date of election, or if it be for any other office,
12 within twenty days next preceding the date of election, if
13 such committee fail or refuse to meet, it shall be lawful
14 for the chairman of the political party executive com-
15 mittee for the political division to fill such vacancy and
16 make a certificate thereof and file the same with the
17 officer with whom the original certificate of nomination
18 was, should or might have been, regularly filed. And it
19 shall be the duty of the officer with whom such certificate
20 is filed to receive and proceed with the same in all
21 respect as an original nomination: *Provided*, That where
22 the vacancy exists because of a failure to make a nomi-
23 nation for the office at the primary election, no nomination
24 under this section shall be deemed filed until a filing fee
25 shall have been paid in an equal amount and to the same
26 office that a candidate for the nomination to the position
27 being filled under this section is required to pay under
28 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 M. Loop

Chairman House Committee

Originated in the House of Delegates

Takes effect Ninety days from passage.

Howard K. Hays

Clerk of the Senate

J. R. Aliff

Clerk of the House of Delegates

Laughton Huston

President of the Senate

W. E. Harner

Speaker House of Delegates

The within APPROVED this the 15th

day of FEBRUARY, 1951.

Chas. L. Patton

Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia **FEB 15 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE