WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED

SENATE BILL NO. 94
(By Mr. Hedrick)

PASSED February 27th, 1961
In Effect ninety days from Passage

Filed in Office of the Secretary of State
of West Virginia March 8, 1961
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact sections twenty-one, twenty-two and twenty-three, article five, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the conducting of elections and particularly to the giving of assistance to blind voters.

Be it enacted by the Legislature of West Virginia:

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

Section 21. Assistance to Voter Unable to Write.—Any person whose registration record indicates his inability to
write may declare his choice of candidates to the poll
clerks who, in the presence of the voter and in the pres-
ence of each other, shall prepare the ballot for voting in
the manner hereinbefore provided, and, on request, shall
read over to such voter the names of candidates on the
ballot as so prepared; or such voter may require the poll
clers to indicate to him the relative position of the names
of the candidates on the ballot, whereupon the voter shall
retire to one of the booths or compartments to prepare his
ballot in the manner hereinbefore provided, or may re-
quest the poll clerks to mark the ballot as he directs.

If the voter is unable to mark his ballot because of blind-
ness and the voter presents a doctor's certificate as to such
blindness, and if he shall so elect, said poll clerks shall
both withdraw, and permit the voter to be assisted by
any person designated by such voter.

Sec. 22. Number of Persons in Booths; Time for Voting.
—Not more than one person shall be permitted to occupy
any booth or compartment at one time; and no person
shall remain in or occupy a booth or compartment longer
than may be necessary to prepare his ballot, and in no
event longer than five minutes. No voter, or person offering to vote, shall hold any conversation or communication with any person other than the poll clerks or commissioners of election, while in the election room. This section shall not apply to persons rendering assistance to blind voters as provided in section twenty-one of this article.

Sec. 23. Number of Voters Allowed in Election Room; Persons Not Permitted Within Five Feet of Booth or Ballot Box.—Not more than one voter for each compartment or booth at the precinct shall be allowed in the election room at one time, and no person shall approach nearer than five feet to any booth or compartment while the election is being held, except the voters to prepare their ballot, or the poll clerks when called on by a voter to assist in the preparation of his ballot, and no person, other than election officers and voters engaged in receiving, preparing and depositing their ballots, shall be permitted to be within five feet of any ballot box, except by authority of the board of election commissioners, and then only for the purpose of keeping order and enforcing the law. This section shall not apply to persons rendering assistance to blind voters as provided in section twenty-one of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the eighth day of March, 1961.

Governor