

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968



## ENROLLED

HOUSE BILL No. 231

(By Mr. Watson and Mr. James G. Mason)



PASSED January 24, 1968

In Effect ninety days from Passage



FILED IN THE OFFICE  
ROBERT D. DANLEY  
SECRETARY OF STATE  
THIS DATE 2-3-68

# 231

**ENROLLED**

**House Bill No. 231**

(By MR. WATSON and MR. JONES, of Mason)

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[Passed January 24, 1968; in effect ninety days from passage.]

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AN ACT to amend and reenact section twenty, article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to recording and disposition of absent voters' ballots.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 4. VOTING MACHINES.**

**§3-4-20. Recording and disposition of absent voters' ballots.**

1     When absent voters' ballots have been voted and deliv-  
2     ered to the election board of any precinct, the election  
3     commissioners shall as time permits proceed to determine

4 the legality of such ballots as prescribed in article six  
5 of this chapter. Without unfolding the absent voters'  
6 ballots determined to be legal, the election commissioners  
7 shall shuffle and intermingle the same so as to preserve  
8 the secrecy of the ballots to the fullest extent practicable,  
9 and prior to the close of the polls and before sealing the  
10 operating lever and unlocking the counter compartment,  
11 shall record such ballots on the voting machine. Such  
12 recording of absent voters' ballots shall be done by one  
13 of the election commissioners and the act of casting such  
14 votes shall be performed in the presence, and under the  
15 careful observation and full view, of all members of the  
16 precinct election board, and the votes as indicated by the  
17 voting pointers shall not be registered until each member  
18 of such board is satisfied that the arrangement of such  
19 voting pointers fully carries out the intent of the voter  
20 as shown by the cross marks on the paper ballot.

21 After completion of the count, absentee ballots shall  
22 be enclosed in a sealed package, properly endorsed, and  
23 returned and filed with the statement of returns.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompos  
Chairman Senate Committee

Sam Galpin Jr  
Vice Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Mosamed Nyeley  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

Howard E. Carson  
President of the Senate

H. Robert White  
Speaker of the House of Delegates

The within approved this the 2nd  
day of February, 1968.

Glenn C. Smith  
Governor



PRESENTED TO THE  
GOVERNOR

Date 1/29/68

Time 10:35 AM

RECEIVED

FEB 3 10 35 AM '68

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

Robert S. Bailey