

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969

## ENROLLED

SENATE BILL NO. 201

(By Mr. Floyd and Mr. Conway)

PASSED March 7, 1969

In Effect Ninety days from Passage

FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE

THIS DATE 3-17-69

#201

**ENROLLED**  
**Senate Bill No. 201**

(By MR. FLOYD and MR. CARRIGAN)

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[Passed March 7, 1969; in effect ninety days from passage.]

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AN ACT to amend and reenact section five, article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the establishment of voting precincts and places, number of voters in precinct, and precinct map.

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

That section five, article one, 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 1. GENERAL PROVISIONS AND DEFINITIONS.**

**§3-1-5. Voting precincts and places established; number of voters in precincts; precinct map.**

- 1 The precinct shall be the basic territorial election unit.
- 2 The county court shall divide each magisterial district of

3 the county into election precincts, shall number the pre-  
4 cincts, shall determine and establish the boundaries  
5 thereof, and shall designate one voting place in each  
6 precinct, which place shall be established as nearly as  
7 possible at the point most convenient for the voters of the  
8 precinct. Each magisterial district shall contain at least  
9 one voting precinct and each precinct shall have but one  
10 voting place therein.

11 Each precinct within any urban center shall contain  
12 not less than three hundred nor more than eight hundred  
13 registered voters. Each precinct in a rural or less thickly  
14 settled area shall contain not less than two hundred nor  
15 more than seven hundred registered voters. If, at any  
16 time the number of registered voters shall exceed the  
17 maximum number in either case herein specified, it shall  
18 be the duty of the county court to, and it shall, rearrange  
19 the precincts within the political division so that the new  
20 precincts formed therefrom, or from any part thereof,  
21 shall each contain a number of registered voters within  
22 the limits above provided. If such county court fails to  
23 so act as herein directed, any qualified voter of the county

24 may apply for a writ of mandamus to compel the per-  
25 formance of this duty.

26 In order to facilitate the conduct of local and special  
27 elections and the use of election registration records  
28 therein, precinct boundaries shall be established to coin-  
29 cide with the boundaries of any municipality of the  
30 county and with the wards or other political subdivisions  
31 of the municipality except in instances where found by  
32 the county court to be wholly impracticable so to do.

33 The provisions of this section shall be subject to the  
34 provisions of section twenty-eight of article four of this  
35 chapter relating to the number of voters in precincts in  
36 which voting machines are used.

37 The county court shall keep available at all times  
38 during business hours in the courthouse at a place con-  
39 venient for public inspection a map or maps of the county  
40 with the current boundaries of all precincts.

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

William Tompkins  
Chairman Senate Committee

Phyllis J. Ruetledge  
Vice Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Thomas Meyer  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Lloyd Jones  
President of the Senate

Ivor F. Boiesky  
Speaker House of Delegates

The within approved this the 14<sup>th</sup>  
day of March, 1969.

Arch A. Shaare Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/11/69

Time 2:00 p.m.

RECEIVED

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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA