WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED

HOUSE BILL No. 962

(By Mr. Jones, Representative)

PASSED March 13, 1971

In Effect ninety days from Passage

962
ENROLLED

House Bill No. 962
(By Mr. Jones, of Roane, and Mr. McGraw)

[Passed March 13, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact section two-a, article three, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to voting booths within public view for absentee voting and prohibits the display of campaign material in absentee voting areas.

Be it enacted by the Legislature of West Virginia:

That section two-a, article three, 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 3. VOTING BY ABSENTEES.

§3-3-2a. Voting booths within public view to be provided by clerk; prohibition against display of campaign material.

1 Throughout the period during which absent voter bal-
2 lots may be voted in the clerk's office as provided else-
where in this article, the clerk shall provide or main-
tain in his office one or more booths or compartments,
each containing a table, counter or shelf, and furnished
with proper supplies for preparing ballots, at or in which
voters may conveniently prepare their ballots, so that
in the preparation thereof they may be secure from the
observation of others. Such booths or compartments
shall be so placed within the clerk’s office as to be sep-
arate from, but within the clear view of the entrance area
accessible to the public conducting normal business in
the clerk’s office. If the compartment to be used for the
purpose of voting is a room otherwise used as a portion
of the clerk’s office, the entrance to such room shall be
within the clear view of the entrance area accessible to
the public conducting normal business in the clerk’s
office, and no other person, including but not limited to
the circuit clerk and ballot commissioners, shall be per-
mitted to pass through the entrance to such voting room
during the period in which it is occupied by any one
voter while preparing his ballot.
Throughout the period during which absent voter ballots may be voted in the clerk's office as provided elsewhere in this article, it shall be the duty of the clerk to prohibit the display in any manner of any literature or material of any kind urging the voting for or against any candidate or candidates or public question or questions within the whole area of the clerk's office or within sixty feet thereof. The clerk is hereby authorized to direct the sheriff of the county to enforce such prohibition.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

[Signatures]

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______________ approved) this the ____________ day of _______________, 1971.

[Signatures]

Governor
PRESENTED TO THE GOVERNOR

Date 3/22/71
Time 3:10 p.m.

RECEIVED

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OFFICE OF SECRETARY OF STATE OF WEST VIRGINIA