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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 371

(By Mr. BROTHERTON)

PASSED MARCH 6 1971

In Effect NINETY DAYS FROM Passage



371

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-17-71

ENROLLED
Senate Bill No. 371
(By MR. BROTHERTON)

[Passed March 6, 1971; in effect ninety days from passage.]

AN ACT to amend article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three-a, relating to persons entitled to vote under the federal Voting Rights Act Amendments of 1970, and authorizing the secretary of state to make, amend and rescind such rules, regulations, orders and instructions, and prescribe such registration and voting procedures, forms (including registration, ballot and ballot label forms), lists and records, as may be necessary in order for this state to fully implement, and comply with, the federal Voting Rights Act Amendments of 1970, as in-

terpreted and limited by the United States supreme court, and making it the duty of all public officers, election officers, boards and commissions having any authority or responsibility in connection with any election, to comply with all such rules, regulations, orders and instructions, and use, make, follow or comply with all such registration and voting procedures, forms (including registration, ballot and ballot label forms), lists and records as have been prescribed by the secretary of state under the foregoing authority vested in that office.

Be it enacted by the Legislature of West Virginia:

That article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section three-a, to read as follows:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-3a. Persons entitled to vote under federal Voting Rights

Act Amendments of 1970; authority of secretary of state.

- 1 (1) Any citizen of the United States who is a resident
- 2 of the state and who applies, not later than thirty days

3 immediately prior to any presidential election for regis-
4 tration or qualification to vote for the choice of electors
5 for president and vice-president, or for president and
6 vice-president, in such election, and who is otherwise
7 qualified to vote, may register to vote, and vote, for
8 the choice of electors for president and vice-president,
9 or for president and vice-president, in such election, as
10 provided by the federal Voting Rights Act Amendments
11 of 1970.

12 (2) Any citizen of the United States who has moved
13 his residence from this state within thirty days next
14 preceding any election for president and vice-president,
15 and who was otherwise qualified to vote in this state as
16 of the date of his change of residence and who has not
17 satisfied the registration requirements of the state to
18 which he has moved, may vote for the choice of elec-
19 tors for president and vice-president, or for president
20 and vice-president, in such election, as provided by the
21 federal Voting Rights Act Amendments of 1970.

22 (3) Any citizen of the United States who has attained
23 the age of eighteen years but who has not attained

24 the age of twenty-one years by the time of the next
25 ensuing primary or election in which he may vote under
26 section 302 of the federal Voting Rights Act Amend-
27 ments of 1970, as interpreted and limited by the United
28 States supreme court, and who is otherwise qualified
29 to vote, may vote in any primary or election for those
30 candidates for whom he is entitled to vote under said
31 section 302 of the federal Voting Rights Act Amend-
32 ments of 1970, as interpreted and limited by the United
33 States supreme court.

34 (4) The secretary of state shall have authority to
35 make, amend and rescind such rules, regulations, orders
36 and instructions, and prescribe such registration and
37 voting procedures, forms (including registration, ballot
38 and ballot label forms), lists and records, as may be
39 necessary in order for this state to fully implement,
40 and comply with, the federal Voting Rights Act Amend-
41 ments of 1970, as interpreted and limited by the United
42 States supreme court, and it shall be the duty of all
43 public officers, election officers, boards and commis-
44 sioners having any authority or responsibility in con-

45 nection with any election, to comply with all such rules,
46 regulations, orders and instructions, and use, make, fol-
47 low or comply with all such registration and voting
48 procedures, forms (including registration, ballot and bal-
49 lot label forms), lists and records as have been pre-
50 scribed by the secretary of state under the foregoing
51 authority vested in that office.

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

Russell M. Beane
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Harold Myers
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

Edw. Bout
President of the Senate

Ivor F. Bursky
Speaker House of Delegates

The within *approved* this the *15th*
day of *March*, 1971.

Arch A. Shaw, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/10/71

Time 2:25 p.m.

RECEIVED

MAR 17 9 23 AM '71

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA