## **WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1971** 

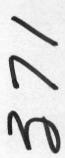
## ENROLLED

SENATE BILL NO. 37/

(By Mr BROTHERTON )

PASSED MARCH 4 1971

In Effect NINETY DAYS FROM Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-17-21

## 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

- 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 Amendments 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 make, amend and rescind such rules, regulations, orders and instructions, and prescribe such registration and 36 voting procedures, forms (including registration, ballot 37 38 and ballot label forms), lists and records, as may be 39 necessary in order for this state to fully implement, and comply with, the federal Voting Rights Act Amend-40 ments of 1970, as interpreted and limited by the United States supreme court, and it shall be the duty of all 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.

Chairman Senate Committee Chairman House Committee Originated in the Senate. To take effect 90 days from passage. Lawaro Myes Clerk of the House of Delegates President of the Senate Speaker House of Delegates

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PRESENTED TO THE

GOVERNOR

RECEIVED

Date 3/10/11

Time 2:25 g.m.

STATE OF MEST VIRGINIA