

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 962

(By Mr. Jones & Raabe & Mr. McHaw)



PASSED March 13 1971

In Effect ninety days from Passage



962

FILED IN THE OFFICE
JOHN D. ROBERTSON, IV
SECRETARY OF STATE
THIS DATE 4-2-71

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-

3 where in this article, the clerk shall provide or main-
4 tain in his office one or more booths or compartments,
5 each containing a table, counter or shelf, and furnished
6 with proper supplies for preparing ballots, at or in which
7 voters may conveniently prepare their ballots, so that
8 in the preparation thereof they may be secure from the
9 observation of others. Such booths or compartments
10 shall be so placed within the clerk's office as to be sep-
11 arate from, but within the clear view of the entrance area
12 accessible to the public conducting normal business in
13 the clerk's office. If the compartment to be used for the
14 purpose of voting is a room otherwise used as a portion
15 of the clerk's office, the entrance to such room shall be
16 within the clear view of the entrance area accessible to
17 the public conducting normal business in the clerk's
18 office, and no other person, including but not limited to
19 the circuit clerk and ballot commissioners, shall be per-
20 mitted to pass through the entrance to such voting room
21 during the period in which it is occupied by any one
22 voter while preparing his ballot.

23 Throughout the period during which absent voter bal-
24 lots may be voted in the clerk's office as provided else-
25 where in this article, it shall be the duty of the clerk
26 to prohibit the display in any manner of any literature
27 or material of any kind urging the voting for or against
28 any candidate or candidates or public question or ques-
29 tions within the whole area of the clerk's office or within
30 sixty feet thereof. The clerk is hereby authorized to
31 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.

Russell G. Beall
Chairman Senate Committee

Stephen J. Rutledge
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Tyson
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. Hans McQuinn
President of the Senate

Lewis D. McManus
Speaker House of Delegates

The within approved this the 1st
April day of _____, 1971.

Arch A. Shaw, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/22/71

Time 3:10 p.m.

RECEIVED
SECRETARY OF STATE
STATE OF WEST VIRGINIA

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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA