

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-1-81

Time 11:45 am

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1174

(By Mr. Shiflet)

— ● —

Passed March 23, 1981

In Effect From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1174
(By Mr. SHIFLET)

[Passed March 23, 1981; in effect 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 two-a, relating to municipal elections generally; providing for the application of the provisions of the West Virginia election code to municipal elections; making the offenses and penalties contained in article nine and other articles of said chapter three applicable to all municipal elections; and directing every municipality to designate by charter or ordinance the persons who perform the same duties as the election officers named in said chapter.

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 two-a, to read as follows:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-2a. Municipal elections.

1 Notwithstanding other provisions of this code or the provisions of any special legislative or home rule city charter, the

3 provisions of articles eight and nine of this chapter and of any
4 regulations promulgated under authority granted in articles
5 eight and nine of this chapter and any provisions of this chapter
6 making a practice or conduct unlawful shall apply to every
7 municipal election held for any purpose.

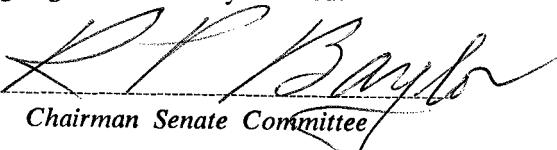
8 For the purposes of this section and the application of the
9 articles eight and nine of this chapter, the application of the
10 regulations mentioned in this section and the application of
11 provisions of this chapter making a practice or conduct un-
12 lawful, the provisions of law which impose any duty upon or
13 define any offense or prohibition with respect to the duty or
14 authority of a county officer or county election officer or
15 body of county election officers shall be construed to and
16 shall apply with equal force and effect to the person or persons
17 in a municipal election upon whom this code or the city
18 charter or ordinance imposes such duty or vests the same or
19 similar authority.

20 Every municipality shall by charter or ordinance designate
21 the persons in such municipality who perform the same duties
22 as any officer in a county election.

23 This section shall not be construed to abrogate the appli-
24 cability of other provisions of this chapter to municipal elec-
25 tions.

3 [Enr. Com. Sub. for H. B. 1174

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

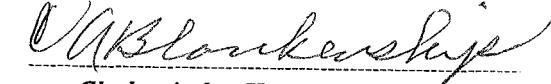

R. P. Baylor
Chairman Senate Committee

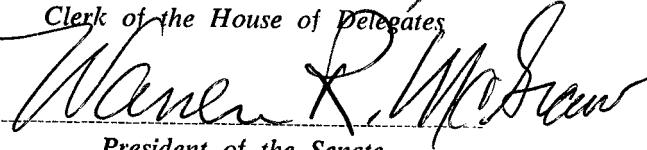

Tony E. Whitlow
Chairman House Committee

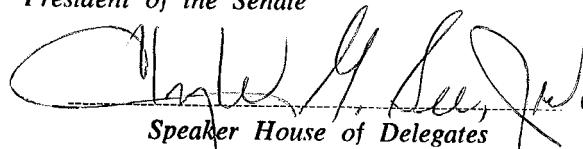
Originated in the House.

Takes effect from passage.

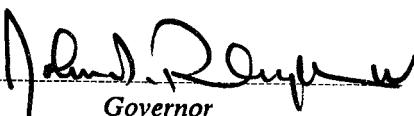

Todd C. Willis
Clerk of the Senate


V. A. Blonker
Clerk of the House of Delegates


Warner K. Wilson
President of the Senate


Charles G. Slay Jr.
Speaker House of Delegates

The within is approved this the 1.
day of April, 1981.


John D. Rutherford
Governor

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OFFICE OF THE GOVERNOR

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OFFICE OF STATE
SECY.