WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

E N R O L L E D

Com. Sub. for
HOUSE BILL No. 1682

(By Mr. Del. Brown and Del. Shepherd)

Passed April 13, 1985

In Effect 90 Days From Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1682
(By Delegate Brown and Delegate Shepherd)

[Passed April 13, 1985; in effect ninety days from passage.]

AN ACT to amend and reenact section forty-six, article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to training films for election officials; requiring the clerk of the county commission to conduct instructional programs including training films at least fifteen days prior to every primary and general election and to notify all election officials of such programs; prohibiting any election official from serving in an election without attending such instructional program; providing for removal and replacement of officials who fail to attend with certain exceptions; and requiring instructional programs for persons appointed as replacements for such officials.

Be it enacted by the Legislature of West Virginia:

That section forty-six, article one, 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 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-46. Training film for election officials.

1 The secretary of state in conjunction with West Virginia board of regents shall produce a motion picture film which shall explain and illustrate the procedures for conducting
elections, the duties of the various election officials and the
methods of voting both on paper ballots and machines.

One copy of such film shall be distributed to the clerk of
the county commission of each county to be kept and
preserved by him. Such film shall be shown to all election
officials before each primary or general election as part of their
instructional program. The clerk of the county commission
shall conduct such instructional program not less than fifteen
days before each primary and general election and shall notify
all election officials of the exact date, time and place such
instructional program will be conducted.

No person shall serve as an election commissioner or poll
clerk in any election unless he or she has attended such
instructional program. A person to replace any election official
who fails to attend the instructional program shall be
appointed in the same manner as persons are appointed under
the provisions of section twenty-eight of this article to replace
election officials refusing to serve, and the clerk of the county
commission shall conduct an instructional program prior to
the election for any such person or persons so appointed:
Provided, That in cases of emergency which prevent a person
from attending the instructional program, the county
commission may appoint such person as a commissioner or
poll clerk notwithstanding that such person has not received
the instruction.

While such film is not being used by the clerk for
instructional purposes, it shall be available to any duly
organized civic, religious, educational or charitable group
without charge, except that the clerk shall require a cash
deposit on such use in an amount to be determined by the
secretary of state.

The secretary of state shall cause such film to be amended,
edited or reproduced whenever he is of the opinion such
revision is necessary in light of changes in the election laws
of this state.

No office holder or person seeking election to any office
shall appear in such film either in person or by visual image
or by name.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within ............... this the ............... day of ............... May, 1985.

[Signature]
Governor