

No: 1358

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986



ENROLLED

Com. Sub. for
HOUSE BILL No. 1358.

(By ~~Mr.~~ Del. Mastrototoni + Del. R. Harman)



Passed February 26, 1986

In Effect From Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1358

(By DELEGATE MASTRANTONI AND DELEGATE R. HARMAN)

[Passed February 26, 1986; in effect from passage]

AN ACT to amend and reenact section seven, article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to requiring notice to be given of the location of relocated polling places.

Be it enacted by the Legislature of West Virginia:

That section seven, 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.

§3-1-7. Precinct changes; procedure; precinct record.

1 Subject to the provisions and limitations of section five
2 of this article, the county commission of any county may
3 change the boundaries of any precinct within such
4 county, or divide any precinct into two or more
5 precincts, or consolidate two or more precincts into one,
6 or change the location of any polling place whenever the
7 public convenience may require it.

8 No order effecting such change, division, or consoli-
9 dation shall be made by the county commission within
10 ninety days next preceding an election nor without

11 giving notice thereof at least one month before such
12 change, division or consolidation, by publication of such
13 notice as a Class II-0 legal advertisement in compliance
14 with the provisions of article three, chapter fifty-nine of
15 this code, and the publication area for such publication
16 shall be the county in which such precinct or precincts
17 are located. The county commission shall also, within
18 fifteen days after the date of the order, cause a copy to
19 be published as aforesaid.

20 The county commission shall also, before the next
21 succeeding election, cause the voters in the several
22 precincts affected by the order to be duly registered in
23 the proper precinct or precincts.

24 The county commission shall keep in a well-bound
25 book, marked "election precinct record," a complete
26 record of all their proceedings hereunder and of every
27 order made creating a precinct or precincts or establish-
28 ing a place of voting therein. Such "election precinct
29 record" shall be kept by the county commission clerk in
30 his office, and shall, at all reasonable hours, when not
31 actually in use by the county commission, be open to
32 inspection by any citizen of the county.

33 When the county commission establishes a polling
34 place at a location other than the location used for
35 holding the preceding primary, general or special
36 election in that precinct, the commission shall cause a
37 notice to be posted on election day on the door of the
38 previous polling place describing the location of the
39 newly established polling place.

40 If for any reason the election cannot be held at the
41 designated polling place in a precinct, and no provision
42 has been made by the county commission for holding the
43 election at another place, the commissioners of election
44 for that precinct may hold the election at the nearest
45 place which they can secure for the purpose. They shall
46 make known by proclamation to voters present at the
47 time for opening the polls, and by posting a notice at
48 or near the entrance of the first named polling place,
49 the location at which the election will be held. The
50 county commission shall establish another place of

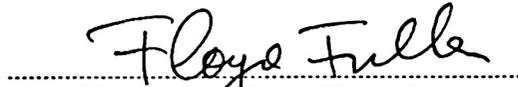
51 voting for that precinct as soon thereafter as practica-
52 ble.

53 Notwithstanding any provision herein to the contrary,
54 in the case of an emergency, the county commission may
55 make such precinct change no later than sixty days
56 prior to an election in accordance with the requirements
57 herein with the approval of the secretary of state. Such
58 change, if made however, shall not cause any voter to
59 be moved to a different district.

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


.....
Chairman Senate Committee

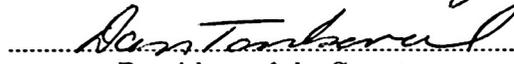

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Chairman House Committee

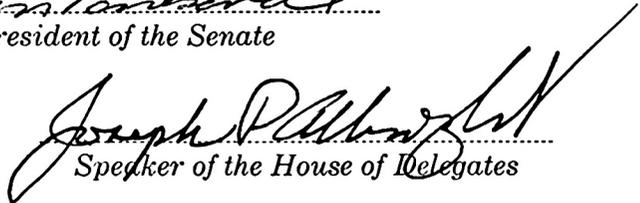
Originating in the House.

Takes effect from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within *approved*..... this the *25th*
day of *March*....., 1986.


.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/6/86

Time 12:44 p.m.

RECEIVED

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SECRETARY OF STATE

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WEST VIRGINIA

THIS DATE 3/26/86