WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1998

ENROLLED

House Bill No. 2387
(By Delegates Jenkins, Johnson, Leach, Hubbard and Underwood)

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Passed March 14, 1998
In Effect Ninety Days from Passage
ENROLLED

H. B. 2387

(BY DELEGATES JENKINS, JOHNSON, LEACH, HUBBARD AND UNDERWOOD)

[Passed March 14, 1998; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article four-a, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to electronic voting systems and permitting the recording of ballots on a computer disc.

Be it enacted by the Legislature of West Virginia:

That section two, article four-a, 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 4A. ELECTRONIC VOTING SYSTEMS.

§3-4A-2. Definitions.

1 As used in this article, unless otherwise specified:

2 (a) "Automatic tabulating equipment" means all apparatus necessary to electronically count votes recorded on ballots and tabulate the results;

3 (b) "Ballot" means a tabulating card or paper on which votes may be recorded by means of perforating or marking with electronically sensible ink or pencil;

4 (c) "Ballot labels" means the cards, papers, booklet, pages or other material showing the names of offices and
candidates and the statements of measures to be voted on, which are placed on the vote recording device used for recording votes by means of perforating;

(d) "Central counting center" means a facility equipped with suitable and necessary automatic tabulating equipment, selected by the county commission, for the electronic counting of votes recorded on ballots;

(e) "Electronic voting system" is a means of conducting an election whereby votes are recorded on ballots by means of an electronically sensible marking ink, by perforating or are recorded on equipment that registers votes on a computer disc, and votes are subsequently counted by automatic tabulating equipment at the central counting center;

(f) "Program deck" means the actual punch card deck or decks, or a computer program disk, diskette, tape or other programming media, containing the program for counting and tabulating the votes, including the "application program deck";

(g) "Application program deck" means the punch card deck or equivalent capacity in other program medias as provided, containing specific options used and necessary to modify the program of general application, to conduct and tabulate a specific election according to applicable law;

(h) "Standard validation test deck" means a group of ballots wherein all voting possibilities which can occur in an election are represented; and

(i) "Vote recording device" means equipment in which ballot labels and ballots are placed to allow a voter to record his or her vote by perforating.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 27th day of March, 1998.
PRESENTED TO THE
GOVERNOR
Date 3/26/98
Time 10:02 AM