

SB 596 S

FILED
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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2007

ENROLLED

Senate Bill No. 596

(BY SENATORS KESSLER AND PLYMALE)

[Passed March 5, 2007; in effect ninety days from passage.]

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(BY SENATORS KESSLER AND PLYMALE)

[Passed March 5, 2007; in effect ninety days from passage.]

AN ACT to amend and reenact §3-1-2a of the Code of West Virginia, 1931, as amended, relating to municipal elections; and providing that municipal personnel responsible for elections must attend biannual training conducted by the office of the Secretary of State.

Be it enacted by the Legislature of West Virginia:

That §3-1-2a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-2a. Municipal elections.

1 (a) Notwithstanding other provisions of this code or of
2 any special legislative or home rule city charter, the
3 provisions of: (1) Articles eight and nine of this chapter;
4 (2) any rules promulgated under authority granted in
5 articles eight and nine of this chapter; and (3) any
6 provisions of this chapter making a practice or conduct
7 unlawful shall apply to every municipal election held
8 for any purpose.

9 (b) For purposes of:

10 (1) This section;

11 (2) The application of articles eight and nine of this
12 chapter;

13 (3) The application of the rules mentioned in this
14 section; and

15 (4) The application of provisions of this chapter
16 making a practice or conduct unlawful, the provisions
17 of law which impose any duty upon or define any
18 offense or prohibition with respect to the duty or
19 authority of a county officer or county election officer
20 or body of county election officers shall be construed to
21 and shall apply with equal force and effect to the person
22 or persons in a municipal election upon whom this code
23 or the city charter or ordinance imposes such duty or
24 vests the same or similar authority.

25 (c) Every municipality shall by charter or ordinance
26 designate the persons in the municipality who perform
27 the same duties as any officer in a county election. The

28 designated persons shall attend a biannual election
29 training held and conducted by the office of the
30 Secretary of State.

31 (d) This section shall not be construed to abrogate the
32 applicability of other provisions of this chapter to
33 municipal elections.

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

Ch White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Russell Stephens
.....
Clerk of the Senate

Suzanne Smith
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this
the *26th* Day of *March* 2007.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 20 2007

Time 3:40 pm