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3 4	(By Delegates Sobonya, Householder, C. Miller and Overington)
5	[Introduced February 21, 2011; referred to the
6	Committee on the Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new article, designated §29-1K-1, §29-1K-2,
12	\$29-1K-3 and $$29-1$ K-4, all relating to United States
13	citizenship.
14	Be it enacted by the Legislature of West Virginia:
15	That the Code of West Virginia, 1931, as amended, be amended
16	by adding thereto a new article, designated \$29-1K-1, \$29-1K-2,
17	\$29-1K-3 and $$29-1K-4$ , all to read as follows:
18	ARTICLE 1K. MULTISTATE CITIZENSHIP COMPACT.
19	§29-1K-1. Enactment of compact.
20	The State of West Virginia hereby enacts into law and enters
21	into with any and all states legally joining therein, in accordance
22	with its terms, in the form substantially as follows:
23	That the State of West Virginia and other member states shall
24	make a distinction in the birth certificates, certifications of

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- 1 live birth or other birth records issued in the state between
- 2 persons born in the state who are born subject to the jurisdiction
- 3 of the United States and persons who are not. Persons born subject
- 4 to the jurisdiction of the United States shall be designated as
- 5 natural-born United States citizens.

## 6 §29-1K-2. Definitions.

- 7 (a) For the purposes of this compact, the phrase, "subject to
- 8 the jurisdiction of the United States" has the meaning that it
- 9 bears in section one of the Fourteenth Amendment to the United
- 10 States Constitution which is that the person is a child of at least
- 11 one parent who owes no allegiance to any foreign sovereignty or a
- 12 child without citizenship or nationality in any foreign country.
- (b) For the purposes of this compact, a person who owes no
- 14 allegiance to any foreign sovereignty is a United States citizen,
- 15 a United States national, an immigrant accorded the privilege of
- 16 residing permanently in the United States or a person without
- 17 citizenship or nationality in any foreign country.
- 18 (c) For the purposes of this compact, a person who owes no
- 19 allegiance to any foreign sovereignty does not include United
- 20 States citizens who are dual citizens of any foreign nation.

## 21 §29-1K-3. Severability clause.

- 22 <u>If for any reason a section or provision of this article is</u>
- 23 held unconstitutional or invalid, such unconstitutionality or
- 24 invalidity does not affect the remainder of this article.

## 1 §29-1K-4. Effective date of compact.

- 2 This compact does not take effect until Congress has given its
- 3 consent pursuant to Article I, Section 10, Clause 3 of the United
- 4 States Constitution.

NOTE: This bill authorizes the state to enter into a multistate compact defining the birthright form of United States citizenship.

This bill is new; therefore, it has been completely underscored.