1	Senate Bill No. 417
2	(By Senator Barnes)
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4	[Introduced February 4, 2011; referred to the Committee on the
5	Judiciary; and then to the Committee on Finance.]
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L O	A BILL to amend and reenact $\$3-1-8$ of the Code of West Virginia,
l 1	1931, as amended, relating to elections and nominating
L2	procedures generally; and expanding the scope of the
L3	definition of a "political party".
L 4	Be it enacted by the Legislature of West Virginia:
L 5	That $\$3-1-8$ of the Code of West Virginia, 1931, as amended, be
L 6	amended and reenacted to read as follows:
L 7	ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.
L 8	§3-1-8. Political party defined; parties or groups that may
L 9	participate in municipal primary elections.
20	Any affiliation of voters representing any principle or
21	organization which, at the last preceding general election, polled
22	for its candidate for Governor, <u>United States President</u> , <u>United</u>
23	States Senator, Secretary of State, Treasurer, Auditor, Attorney
24	General, Supreme Court of Appeals or Commissioner of Agriculture,

1 at least one percent of the total number of votes cast for all 2 candidates for that office in the state shall be any one of those 3 public offices, or any affiliation of voters that register under 4 article two, chapter three of this code at least one twentieth of 5 one percent of the total number of voters voting in the last 6 election for any one of those public offices, is a political party, 7 within the meaning and for the purpose of this chapter: Provided, 8 That notwithstanding the foregoing provisions of this section, the 9 governing body of any municipality may, by ordinance adopted by the 10 affirmative vote of at least three fourths of the members of such 11 the governing body by recorded vote, provide that municipal 12 political parties or groups within such the municipality that do 13 not meet the requirements of this section for classification as a 14 political party may participate in the primary elections of any 15 such the municipality. Any such The ordinance shall contain 16 provisions implementing the foregoing proviso, which implementing 17 provisions shall conform as nearly as practicable to any general 18 provisions of law relating to municipal primary elections.

NOTE: The purpose of this bill is to increase the ability of political parties to obtain ballot access by expanding the scope of the definition of political party.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.