

# SENATE JOINT RESOLUTION NO. 10

(By Senators Laird, Unger, Miller, D. Facemire,  
Yost, Williams and Kessler (Acting President))

---

[Introduced February 2, 2011; referred to  
the Committee on the Judiciary.]

---

Proposing an amendment to the Constitution of the State of West Virginia, repealing section three, article IX thereof, relating to sheriffs serving more than two consecutive terms; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

*Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:*

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2012, which proposed amendment is that section three, article IX thereof be repealed to read as follows:

**ARTICLE IX.**

~~§3. Sheriffs.~~

1     ~~A person who has been elected or who has served as a~~  
2     ~~sheriff during all or any part of two consecutive terms shall~~  
3     ~~be ineligible for the office of sheriff during any part of the~~  
4     ~~term immediately following the second of the two consecu-~~  
5     ~~tive terms. The person holding the office of sheriff when this~~  
6     ~~section is ratified shall not be prevented from holding the~~  
7     ~~office of sheriff during the term immediately following the~~  
8     ~~term his is serving.~~

9     *Resolved further*, That in accordance with the provisions  
10  of article eleven, chapter three of the Code of West Virginia,  
11  1931, as amended, such proposed amendment is hereby  
12  numbered “Amendment No. 1” and designated as the  
13  “Repeal The Two Consecutive Term Limitation for Sheriffs  
14  Amendment” and the purpose of the proposed amendment is  
15  summarized as follows: “To repeal section three, article IX  
16  of the State Constitution which provides that a person who  
17  has been elected or who has served as a sheriff during all or  
18  any part of two consecutive terms shall be ineligible for the  
19  office of sheriff during any part of the term immediately  
20  following the second of the two consecutive terms, and that

21 the person holding the office of sheriff when this section is  
22 ratified shall not be prevented from holding the office of  
23 sheriff during the term immediately following the term he is  
24 serving.”

---

(NOTE: The purpose of this joint resolution is to allow sheriffs to serve more than two consecutive terms in office.

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