

1 **ENGROSSED**

2 COMMITTEE SUBSTITUTE

3 for

4 **H. B. 4257**

5 (By Delegates Iaquinta, Poore, Marshall,  
6 Crosier, Fleischauer and Duke)

7 [By request of the Secretary of State]

8 (Originating in the Committee on the Judiciary)

9 [February 1, 2012]

10

11 A BILL to amend the Code of West Virginia, 1931, as amended, by  
12 adding thereto a new section, designated §3-2-6a, relating to  
13 voter registration for members of the armed services, Merchant  
14 Marines, persons who resides temporarily outside of the United  
15 States, and their spouses or dependents.

16 *Be it enacted by the Legislature of West Virginia:*

17 That the Code of West Virginia, 1931, as amended, be amended  
18 by adding thereto a new section, designated §3-2-6a, to read as  
19 follows:

20 **ARTICLE 2. REGISTRATION OF VOTERS.**

21 **§3-2-6a. Extended time for certain persons to register in person.**

22 (a) Notwithstanding the provisions of section six of this  
23 article, the following persons are entitled to register to vote, in  
24 person, at the office of the clerk of the county commission up to,  
25 but not including, the day of the election:

26 (1) Any member of a uniformed service of the United States, as

1 defined in 42 U.S.C. § 1973ff-6 (7), who is on active duty;

2 (2) Any member of a uniformed service of the United States, as  
3 defined in 42 U.S.C. § 1973ff-6 (7), who is discharged from active  
4 duty during the sixty days immediately preceding the election;

5 (3) Any member of the Merchant Marine of the United States;

6 (4) Any person who resides temporarily outside of the United  
7 States; and

8 (5) Any spouse or dependent residing with a person listed in  
9 subdivisions (1), (2), (3) or (4) of this subsection.

10 (b) The provisions of subsection (a) apply only to those  
11 persons who are otherwise qualified to register and who, by reason  
12 of such active duty or temporary overseas residency:

13 (1) Are normally absent from the county in which they reside;  
14 or

15 (2) Have been absent from such county and returned to reside  
16 there during the twenty-one days immediately preceding the  
17 election.

18 (c) The Secretary of State shall prescribe procedures for the  
19 addition of persons registered under this section to the lists of  
20 registered voters.