1	Senate Bill No. 376
2	(By Senators Palumbo, D. Facemire, Kessler (Mr. President), Unger
3	and Jenkins)
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5	[Introduced January 23, 2012; referred to the Committee on the
6	Judiciary.]
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11	A BILL to amend and reenact $\$3-3-2b$ of the Code of West Virginia,
12	1931, as amended, relating to the provision of absentee
13	ballots to participants of the Address Confidentiality
14	Program.
15	Be it enacted by the Legislature of West Virginia:
16	That §3-3-2b of the Code of West Virginia, 1931, as amended,
17	be amended and reenacted to read as follows:
18	ARTICLE 3. VOTING BY ABSENTEES.
19	§3-3-2b. Special absentee voting list.
20	(a) Any person who is registered and otherwise qualified to
21	vote and who is permanently and totally physically disabled and who
22	is unable to vote in person at the polls in an election may apply
23	to the official designated to supervise and conduct absentee voting
24	for placement on the special absentee voting list.

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1 (b) Any person who is registered and otherwise qualified to 2 vote and who is participating in the Address Confidentiality 3 Program as established by section one hundred ten, article twenty-4 eight-a, chapter forty-eight of this code, may apply to the program 5 manager within the office of the Secretary of State for placement 6 on the special absentee voting list. The program manager will 7 notify the designated county contact to coordinate the provision of 8 an absentee ballot to the program participant.

9 (b) (c) The application is to be on a form prescribed by the 10 Secretary of State which is to include the voter's name and 11 signature, residence address, a statement that the voter is 12 permanently and totally physically disabled and would be unable to 13 vote in person at the polls in any election, a description of the 14 nature of that disability, and a statement signed by a physician to 15 that effect or a statement that the voter is a program participant 16 <u>in the Address Confidentiality Program</u>.

17 (c) (d) Upon receipt of a properly completed application, the 18 official designated to supervise and conduct absentee voting shall 19 enter the name on the special absentee voting list, which is to be 20 maintained in a secure and permanent record. The person's name will 21 remain active on the list until: (1) The person requests in writing 22 that his or her name be removed; (2) the person removes his or her 23 residence from the county, is purged from the voter registration 24 books or otherwise becomes ineligible to vote; (3) a ballot mailed

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1 to the address provided on the application is returned 2 undeliverable by the United States postal service; or (4) the death 3 of the person; or (5) in the case of a Address Confidentiality 4 Program participant, withdrawal or removal from that program.

5 (d) (e) The official designated to supervise and conduct 6 absentee voting shall mail an application for an absentee ballot by 7 mail to each person active on the special absentee voting list <u>due</u> 8 <u>to disability</u> not later than forty-six days before each election. 9 <u>The Address Confidentiality Program manager shall, in coordination</u> 10 <u>with the designated county contact, mail to each person on the</u> 11 <u>special absentee voting list due to participation in the Address</u> 12 <u>Confidentiality Program an absentee ballot by mail not later than</u> 13 forty-six days before each election.

NOTE: The purpose of this bill is to establish procedures for: (1) The inclusion of Address Confidentially Program participants on the special absentee voting list and (2) the method of application and ballot provision for the program participants. This is to further protect a program participant's location information.

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

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