

H. B. 4257

(BY DELEGATES IAQUINTA, POORE, MARSHALL,
CROSIER, FLEISCHAUER AND DUKE)
[BY REQUEST OF THE SECRETARY OF STATE]

[Introduced January 23, 2012; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-2-6a, relating to late voter registration for any member of a uniformed service of the United States, as defined in 42 U.S.C §1973ff-6, any member of the Merchant Marine of the United States, any person who resides temporarily outside of the United States, and the spouse or dependent residing with a person that fits the criteria.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. REGISTRATION OF VOTERS.

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

1 (a) Notwithstanding the provisions of section six of this
2 article, the following persons are entitled to register in person
3 at the office of the clerk of the county commission up to, but
4 not including, the day of the election:

5 (1) Any member of a uniformed service of the United
6 States, as defined in 42 U.S.C. §1973ff-6 (7), who is on
7 active duty;

8 (2) Any member of the Merchant Marine of the United
9 States;

10 (3) Any person who resides temporarily outside of the
11 United States; and

12 (4) Any spouse or dependent residing with a person listed
13 in subdivision 1, 2 or 3 of this subsection.

14 The provisions of this subsection apply only to those
15 persons who are otherwise qualified to register and who, by
16 reason of such active duty or temporary overseas residency,
17 either; (i) Are normally absent from the county in which they

18 reside; or (ii) have been absent from such county and
19 returned to reside there during the twenty-one days
20 immediately preceding the election.

21 (b) Any person who was on active duty as a member of
22 a uniformed service of the United States and discharged from
23 the uniformed service during the sixty days immediately
24 preceding the election, and the member's spouse or
25 dependent, are entitled to register, if otherwise qualified, in
26 person up to, but not including, the day of the election.

27 (c) The Secretary of State shall prescribe procedures for
28 the addition of persons registered under this section to the
29 lists of registered voters.

NOTE: The purpose of this bill is to provide late voter registration opportunities to individuals covered by the Uniformed and Overseas Citizens Act of 1986 for a period up to, but not to include, election day.

§3-2-6a is new; therefore, it has been completely underscored.