

COMMITTEE SUBSTITUTE

FOR

H. B. 4257

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

(Originating in the Committee on the Judiciary)
[February 1, 2012]

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

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 to vote,
3 in person, at the office of the clerk of the county commission
4 up to, but 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 a uniformed service of the United
9 States, as defined in 42 U.S.C. § 1973ff-6 (7), who is
10 discharged from active duty during the sixty days
11 immediately preceding the election;

12 (3) Any member of the Merchant Marines of the United
13 States;

14 (4) Any person who resides temporarily outside of the
15 United States; and

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

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

21 (1) Are normally absent from the county in which they
22 reside; or

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

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