1	H. B. 4440
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3 4 5 6	(By Delegates E. Nelson, Storch, Lane, Armstead, O'Neal, Craig, Skaff, Shott, Espinosa, Manchin and Hunt)
7	[Introduced February 7, 2014; referred to the
8	Committee on the Judiciary.]
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10	A BILL to amend and reenact $\$3-8-5b$ of the Code of West Virginia,
11	1931, as amended, relating to the filing of financial
12	statements with the Secretary of State; providing that these
13	must be an electronic format; and providing for exceptions in
14	the case of hardship.
15	Be it enacted by the Legislature of West Virginia:
16	That $\S 3-8-5b$ of the Code of West Virginia, 1931, as amended,
17	be amended and reenacted to read as follows:
18	ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.
19	§3-8-5b. Where financial statements shall be filed; filing date
20	prescribed.
21	(a) The financial statements provided for in this article
22	shall be filed, by or on behalf of candidates, with:
23	(1) The Secretary of State for legislative offices and for
24	statewide and other offices to be nominated or elected by the
25	voters of a political division greater than a county;

- 1 (2) The clerk of the county commission by candidates for 2 offices to be nominated or elected by the voters of a single county 3 or a political division within a single county; or
- 4 (3) The proper municipal officer by candidates for office to 5 be nominated or elected to municipal office.
- 6 (b) The statements may shall be filed by mail, in person, or
 7 by facsimile or other electronic means of transmission: Provided,
 8 That the financial statements filed by or on behalf of candidates
 9 for Governor, Secretary of State, Attorney General, Auditor,
 10 Treasurer, Commissioner of Agriculture and Supreme Court of Appeals
 11 shall be filed electronically by the means of an Internet program
 12 to be established by the Secretary of State on forms or in a format
 13 prescribed by the Secretary of State: Provided, That a committee
 14 may apply for an exemption, in case of hardship, pursuant to
 15 subsection (c) of this section.
- (c) Committees required to report electronically may apply to
 the State Election Commission for an exemption from mandatory
 electronic filing in the case of hardship. An exemption may be
 granted at the discretion of the State Election Commission.
- 20 (d) For purposes of this article, the filing date of a 21 financial statement shall, in the case of mailing, be the date of 22 the postmark of the United States Postal Service, and in the case 23 of hand delivery or delivery by facsimile or other electronic means 24 of transmission, the date delivered to the office of the Secretary

- 1 of State or to the office of the clerk of the county commission, in
- 2 accordance with the provisions of subsection (a) of this section,
- 3 during regular business hours of such office.
- 4 (e) The sworn financial statements required to be filed by
- 5 this section with the Secretary of State shall be posted on the
- 6 Internet by the Secretary of State within ten business days from
- 7 the date the financial statement was filed.

NOTE: The purpose of this bill is to require financial disclosure forms to be filed with the Secretary of State electronically; committees claiming hardship could request an exemption.

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