1	Senate Bill No. 553
2	(By Senators Edgell, Fitzsimmons, Cookman, Yost and Beach)
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4	[Introduced February 12, 2014; referred to the Committee on the
5	Judiciary.]
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10	A BILL to amend and reenact $\$3-5-24$ of the Code of West Virginia,
11	1931, as amended, relating to where certificates of nomination
12	are filed for municipal elections; filing deadlines for
13	certificates of nomination for municipal elections not held in
14	conjunction with regular state and county general elections;
15	and clarifying with whom the certificates are filed and to
16	whom the fees are to be paid.
17	Be it enacted by the Legislature of West Virginia:
18	That §3-5-24 of the Code of West Virginia, 1931, as amended,
19	be amended and reenacted to read as follows:
20	ARTICLE 5. PRIMARY ELECTIONS AND NOMINATING PROCEDURES.
21	§3-5-24. Filing of nomination certificates; time.
22	(a) All certificates nominating candidates for office under
23	the preceding section shall be filed, in the case of a candidate to

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1 be voted for by the voters of the entire state or by any 2 subdivision of the state other than a single county, with the 3 Secretary of State, and in the case of all candidates for county 4 and magisterial district offices, including all offices to be 5 filled by the voters of a single county, with the clerk of the 6 county commission, and in the case of candidates for election in a 7 municipality, with the recorder or other official designated by 8 charter or ordinance to perform election responsibilities not later 9 than August 1 preceding the general election: <u>Provided</u>, That for 10 municipal elections not held in conjunction with regular state and 11 <u>county general elections</u>, not later than ninety days before the 12 date of the municipal election unless otherwise provided by charter 13 or ordinance.

14 (b) Each candidate shall pay the filing fee required by 15 section eight of this article, at the time of the filing of the 16 nomination certificate. If any nomination certificate is not 17 timely filed or if the filing fee is not timely paid, the 18 certificate may not be received by the Secretary of State, or by 19 the clerk of the county commission or the recorder or other 20 <u>official designated by charter or ordinance to perform municipal</u> 21 <u>election responsibilities</u>, as the case may be.

NOTE: The purpose of this bill is to set a reasonable date for independent candidates to file petitions to run in municipal elections and clarify the filing officer.

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