

H. B. 2040

(By Delegate Guthrie and Hamrick)

[Introduced January 14, 2015; referred to the
Committee on the Judiciary.]

A BILL to amend and reenact §6-5-5 of the Code of West Virginia, 1931, as amended, relating to disqualification for public office by conviction of certain offenses; and adding domestic violence and fraud to the list of crimes for which conviction would bar a person from holding public office.

Be it enacted by the Legislature of West Virginia:

That §6-5-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 5. TERMS OF OFFICE; MATTERS AFFECTING THE RIGHT TO HOLD OFFICE.

§6-5-5. Disqualification by conviction of treason, felony, domestic violence, fraud or bribery.

No person convicted of treason, felony, domestic violence, fraud, or bribery in any election, before any court in or out of this state, shall, while such conviction remains unreversed, be elected or appointed to any office under the laws of this state; and, if any person, while holding such office,

1 be so convicted, the office shall be thereby vacated.

NOTE: The purpose of this bill is to include crimes of domestic violence and fraud in the list of offenses for which a conviction will disqualify an official from serving in, running for, or being elected to, public office.

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