

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4687**

BY DELEGATES SOBONYA, MILLER, ROHRBACH, MORGAN,  
HORNBUCKLE, ESPINOSA, HILL, WAXMAN, ROWAN, HICKS  
AND PERDUE

[ Introduced February 23, 2016; referred to the  
committee on Education then the Judiciary.]

1 A BILL to amend and reenact §3-2-8 of the Code of West Virginia, 1931, as amended, relating to  
 2 registration programs by the clerk of the county commission; revising the requirements for  
 3 voter registration programs in local high schools; specifying that eligible students shall be  
 4 permitted to register at their school; requiring the Secretary of State to propose rules for  
 5 legislative approval; clarifying how school records may be used to provide verification of  
 6 registration information; and requiring the Secretary of State to publish related information  
 7 in a dedicated area of the official website.

*Be it enacted by the Legislature of West Virginia:*

1 That §3-2-8 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
 2 to read as follows:

**ARTICLE 2. REGISTRATION OF VOTERS.**

**§3-2-8. Registration outreach services by the clerk of the county commission; in-school  
registration of eligible high school students; canvass following change of  
boundaries and challenge of voter's registration.**

1 (a) Registration outreach services, including application for registration, change of  
 2 address, name or party affiliation and correction or cancellation of registration, may be provided  
 3 at locations outside the office of said clerk of the county commission by the clerk, one or more of  
 4 his or her deputy clerks, or by temporary registrars or volunteer registrars appointed in  
 5 accordance with the provisions of section nine of this article.

6 (b) ~~(4)~~ The clerk of the county commission may establish temporary registration offices to  
 7 provide voter registration services to residents of the county. The clerk shall file a list of the  
 8 scheduled times and locations of any temporary registration offices with the county commission  
 9 at least fourteen days prior to opening the temporary office and shall solicit public service  
 10 advertising of the location and times for any temporary registration office on radio, television and  
 11 newspapers serving that county.

12 ~~(2)~~ (c) (1) The clerk of the county commission, in cooperation with the county board of

13 education, shall establish ~~an approved~~ a program of voter registration services for eligible high  
14 school students at each high school within the county and shall conduct that program of voter  
15 registration at an appropriate time during each school year, but no later than forty-five days before  
16 a statewide primary election held during a school year. Each program shall provide an assembly  
17 with the opportunity for students of eligible age to register, at the high school where the student  
18 is enrolled, before a person authorized to receive applications for registration and enter the  
19 registration of student. The principal or chief administrator of each high school shall ensure that  
20 the clerk of the county commission is provided a sufficient and timely opportunity to conduct the  
21 program and that students eligible for registration as specified in section two of this article are  
22 permitted time to complete the registration process. The Secretary of State shall ~~issue guidelines~~  
23 ~~for approval of voter registration for eligible students, and all such programs shall include~~  
24 ~~opportunities for students to register in person and present identification at the high school where~~  
25 ~~the student is enrolled~~ propose rules for legislative approval, pursuant to the provisions of article  
26 three, chapter twenty-nine-a of this code, specifying the minimum requirements for voter  
27 registration programs in schools including, but not limited to, appropriate scheduling to facilitate  
28 access for students, availability of registration staff, equal participation of local representatives of  
29 major political parties, information to be provided about registration and elections, and alternate  
30 ways to register. Official school records shall be accepted as identification, residence and proof  
31 of age for eligible students for the purposes of this article.

32 (2) To assist clerks of the county commission in fulfilling this duty and to promote the  
33 registration of young voters as they come of voting age, the Secretary of State shall publish  
34 information to the registration of young voters in a dedicated area, accessible from the main page,  
35 of the official website of the Secretary of State.

36 ~~(e)~~ (d) When the boundaries of precincts are altered requiring the transfer of a portion of  
37 the voters of one precinct to another precinct, the clerk of the county commission or temporary  
38 registrars appointed for the purpose may conduct door-to-door registration services in the areas

39 affected by the boundary changes and may register, alter or transfer the registration of voters  
40 found to reside in those areas. Upon a determination that a voter who previously registered in the  
41 area canvassed no longer resides at that address, except for those persons who are qualified to  
42 maintain a legal residence at the address, the clerk of the county commission shall challenge the  
43 registration of the voter in accordance with the provisions of section twenty-eight of this article.

44 ~~(d)~~ (e) The procedures required upon receipt of an application for registration as  
45 prescribed in subsection (b), section seven of this article shall also be performed by the authorized  
46 persons conducting the registration outreach services.

NOTE: The purpose of this bill is to further define the requirements for annual voter registration programs in local high schools.

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