

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Introduced**

### **Senate Bill 733**

BY SENATORS TRUMP AND IHLENFELD

[Introduced February 7, 2020; referred  
to the Committee on the Judiciary]



1 A BILL to amend and reenact §3-1-8 of the Code of West Virginia, 1931, as amended, relating to  
2 the criteria for political party status; and allowing a group of affiliated voters to become a  
3 recognized political party if the group's candidate receives at least one percent of the votes  
4 statewide in an election for either President or Governor.

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

**ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

**§3-1-8. Political party defined; parties or groups that may participate in municipal primary elections.**

1 Any affiliation of voters representing any principle or organization which, at the last  
2 preceding general election, polled for its candidate for President or Governor at least one percent  
3 of the total number of votes cast for all candidates for that office in the state, shall be a political  
4 party, within the meaning and for the purpose of this chapter: *Provided*, That notwithstanding the  
5 foregoing provisions of this section, the governing body of any municipality may, by ordinance  
6 adopted by the affirmative vote of at least three fourths of the members of such governing body  
7 by recorded vote, provide that municipal political parties or groups within such municipality that  
8 do not meet the requirements of this section for classification as a political party may participate  
9 in the primary elections of any such municipality. Any such ordinance shall contain provisions  
10 implementing the foregoing proviso, which implementing provisions shall conform as nearly as  
11 practicable to any general provisions of law relating to municipal primary elections.

NOTE: The purpose of this bill is to allow a group to become a recognized political party if the group's candidate receives one percent of the votes statewide in an election for President or Governor.

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