

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENGROSSED

House Bill 4299

BY DELEGATES HOLSTEIN, HORST, SYPOLT, HANNA,
LINVILLE, WAMSLEY, KEATON, KIMBLE, PACK, SUMMERS,
AND TULLY

[Introduced January 20, 2022; referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §3-9-21, relating to prohibiting certain intentional actions obstructing or
3 interfering with a voter during hours that polls are open for in-person voting in an election;
4 and creating a misdemeanor crime of certain intentional actions obstructing or interfering
5 with a voter during hours that polls are open for in-person voting in an election and
6 establishing penalties thereto.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9. OFFENSES AND PENALTIES.

§3-9-21. Improper interference with voters' travel to and from the polls; penalties.

1 (a) During the hours that polls are open for in-person voting in an election, no person may
2 obstruct or interfere with a voter with the intention to delay, hinder, interrupt, harass, or intimidate
3 a voter traveling to or from the polls: *Provided*, That properly conducted exit polls, as provided by
4 the Secretary of State's administrative rules and electioneering activities, as defined in §3-9-9 of
5 this Code, which do not obstruct or interfere with a voter traveling to or from the polls, are not
6 prohibited by this section.

7 (b) Any person who violates the provisions of this section is guilty of a misdemeanor, and,
8 upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000, or confined in
9 jail not more than one year, or both fined and confined.

NOTE: The purpose of this bill is to prohibit certain intentional actions obstructing or interfering with a voter.

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