

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2579

By Delegates Longancre, Crouse, Dean, Nestor,

Forsht, Heckert, and Brooks

[Introduced January 16, 2023; Referred to the

Committee on Education then the Judiciary]

1 A BILL to amend and reenact §3-1-17 of the Code of West Virginia, 1931, as amended; to amend
 2 and reenact §3-4A-11a of said code; to amend and reenact §3-5-4, §3-5-13, and §3-5-13a
 3 of said code; to amend said code by adding thereto a new section, designated §3-5-5; to
 4 amend and reenact §6-5-1 of said code; and to amend and reenact §18-4-1 of said code,
 5 all relating generally to the nonpartisan election of county superintendents of schools;
 6 providing general provisions for such election; specifying the arrangement of the ballot to
 7 include such officers; providing for the placement of such persons on a primary election
 8 ballot; prescribing the manner of election of such persons; providing for the form and
 9 content of ballots; providing for the order of offices and candidates on ballots; specifying
 10 the term of office for county superintendents of schools; clarifying and enumerating
 11 relevant points concerning the election of county superintendents of schools; providing for
 12 the filling of vacancies in such office by temporary appointment; and providing for elections
 13 to fill such vacancies.

Be it enacted by the Legislature of West Virginia:

CHAPTER 3. ELECTIONS.

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-17. Election of circuit judges; county and district officers; magistrates.

1 (a) There shall be elected, at the time of the primary election to be held in 2016, and every
 2 eighth year thereafter, one judge of the circuit court of every judicial circuit entitled to one judge,
 3 and one judge for each numbered division of the judicial circuit in those judicial circuits entitled to
 4 two or more circuit judges; and at the time of the primary election to be held in 2016, and in every
 5 fourth year thereafter, the number of magistrates prescribed by law for the county. Beginning with
 6 the election held in the year 2016, an election for the purpose of electing judges of the circuit court,
 7 or an election for the purpose of electing magistrates, shall be upon a nonpartisan ballot printed for
 8 the purpose.

9 (b) There shall be elected, at the general election to be held in ~~1992~~ 2024, and every fourth
 10 year thereafter, a sheriff, prosecuting attorney, county superintendent of schools, surveyor of
 11 lands, and the number of assessors prescribed by law for the county; and at the general election to
 12 be held in ~~1990~~ 2024, and every second year thereafter, a commissioner of the county commission
 13 for each county; and at the general election to be held in ~~1992~~ 2028, and every sixth year
 14 thereafter, a clerk of the county commission and a clerk of the circuit court for each county.

15 (c) Effective with the primary election of 2016, all elections for judge of the circuit courts in
 16 the respective circuits and magistrates in each county will be elected on a nonpartisan basis and
 17 by division as set forth more fully in article five of this chapter.

ARTICLE 4A. ELECTRONIC VOTING SYSTEMS.

§3-4A-11a. Ballots tabulated electronically; arrangement, quantity to be printed, ballot stub numbers.

1 (a) The board of ballot commissioners in counties using ballots upon which votes may be
 2 recorded by means of marking with electronically sensible ink or pencil and which marks are
 3 tabulated electronically shall cause the ballots to be printed or displayed upon the screens of the
 4 electronic voting system for use in elections.

5 (b) (1) For the primary election, the heading of the ballot, the type faces, the names and
 6 arrangement of offices and the printing of names and arrangement of candidates within each office
 7 are to conform as nearly as possible to §3-5-13 and §3-5-13a of this code.

8 (2) For the general election, the heading of the ballot, the type faces, the names and
 9 arrangement of offices and the printing of names and the arrangement of candidates within each
 10 office are to conform as nearly as possible to §3-6-2 of this code.

11 (3) Effective with the primary election held in ~~2016~~ 2024 and thereafter, the following
 12 nonpartisan elections are to be separated from the partisan ballot and separately headed in
 13 display type with a title clearly identifying the purpose of the election and constituting a separate
 14 ballot wherever a separate ballot is required under this chapter:

- 15 (A) Nonpartisan elections for judicial offices, by division, of:
- 16 (i) Justice of the Supreme Court of Appeals;
- 17 (ii) Judge of the Intermediate Court of Appeals;
- 18 (iii) Judge of the circuit court;
- 19 (iv) Family court judge; and
- 20 (v) Magistrate;
- 21 (B) Nonpartisan elections for ~~Board of Education; and~~ educational offices;
- 22 (i) County superintendent of schools; and
- 23 (ii) Board of Education; and
- 24 (C) Any question to be voted upon.
- 25 (4) Beginning in the primary election to be held in the year 2020 and in each election
- 26 thereafter, the nonpartisan judicial elections described in subparagraphs (i) through (iv),
- 27 paragraph (A), subdivision (3), of this subsection shall appear immediately after the state ticket
- 28 and shall immediately precede the county ticket, in the same manner prescribed in §3-5-13a of this
- 29 code.
- 30 (5) Both the face and the reverse side of the ballot may contain the names of candidates
- 31 only if means to ensure the secrecy of the ballot are provided and lines for the signatures of the poll
- 32 clerks on the ballot are printed on a portion of the ballot which is deposited in the ballot box and
- 33 upon which marks do not interfere with the proper tabulation of the votes.
- 34 (6) The arrangement of candidates within each office is to be determined in the same
- 35 manner as for other electronic voting systems, as prescribed in this chapter. On the general
- 36 election ballot for all offices, and on the primary election ballot only for those offices to be filled by
- 37 election, except delegate to national convention, lines for entering write-in votes are to be provided
- 38 below the names of candidates for each office, and the number of lines provided for any office shall
- 39 equal the number of persons to be elected, or three, whichever is fewer. The words "WRITE-IN, IF
- 40 ANY" are to be printed, where applicable, directly under each line for write-ins. The lines are to be

41 opposite a position to mark the vote.

42 (c) Except for electronic voting systems that utilize screens upon which votes may be
43 recorded by means of a stylus or by means of touch, the primary election ballots are to be printed
44 in the color of ink specified by the Secretary of State for the various political parties, and the
45 general election ballot is to be printed in black ink. For electronic voting systems that utilize
46 screens upon which votes may be recorded by means of a stylus or by means of touch, the primary
47 ballots and the general election ballot are to be printed in black ink. All ballots are to be printed,
48 where applicable, on white paper suitable for automatic tabulation and are to contain a perforated
49 stub at the top or bottom of the ballot, which is to be numbered sequentially in the same manner as
50 provided in §3-5-13 of this code, or are to be displayed on the screens of the electronic voting
51 system upon which votes are recorded by means of a stylus or touch. The number of ballots
52 printed and the packaging of ballots for the precincts are to conform to the requirements for paper
53 ballots provided in this chapter.

54 (d) In addition to the official ballots, the ballot commissioners shall provide all other
55 materials and equipment necessary to the proper conduct of the election.

ARTICLE 5. PRIMARY ELECTIONS AND NOMINATING PROCEDURES.

§3-5-4. Nomination of candidates in primary elections.

1 (a) At each primary election, the candidate or candidates of each political party for all
2 offices to be filled at the ensuing general election by the voters of the entire state, of each
3 congressional district, of each state senatorial district, of each delegate district, and of each county
4 in the state shall be nominated by the voters of the different political parties, except that no
5 presidential elector shall be nominated at a primary election.

6 (b) In primary elections a plurality of the votes cast shall be sufficient for the nomination of
7 candidates for office. Where only one candidate of a political party for any office in a political
8 division, including party committeemen and delegates to national conventions, is to be chosen the
9 candidate receiving the highest number of votes therefor in the primary election shall be declared

10 the party nominee for such office. Where two or more such candidates are to be chosen in the
11 primary election, the candidates constituting the proper number to be so chosen who shall receive
12 the highest number of votes cast in the political division in which they are candidates shall be
13 declared the party nominees and choices for such offices, except that:

14 (1) Candidates for the office of commissioner of the county commission shall be nominated
15 and elected in accordance with the provisions of section ten, article nine of the Constitution of the
16 State of West Virginia and the requirements of section one-b, article one, chapter seven of this
17 code;

18 (2) Members of county boards of education shall be elected at primary elections in
19 accordance with the provisions of ~~sections five and~~ section six of this article;

20 (3) Candidates for the House of Delegates shall be nominated and elected in accordance
21 with the residence restrictions provided in section two, article two, chapter one of this code.

22 (c) In case of tie votes between candidates for party nominations or elections in primary
23 elections, the choice of the political party shall be determined by the executive committee of the
24 party for the political division in which such persons are candidates.

§3-5-5. Election of county school superintendent at primary elections.

1 (a) An election for the purpose of electing a county school superintendent shall be held on
2 the same date as the primary elections, as provided by law, but upon a nonpartisan ballot printed
3 for the purpose.

4 (b) A person seeking election to the office of county school superintendent must be a
5 resident of the county in which they file, or, reside in a contiguous county to the county in which
6 they file. The eligibility of candidates to be declared elected shall be determined at the time of
7 certification of the election.

8 (c) In each nonpartisan election for Board of Education the board of canvassers shall
9 declare and certify the election of the eligible candidate receiving the highest numbers of votes.

10 (d) It is the intent of this statute that any person declared to be elected under the provisions

11 of this section shall take office as a duly elected superintendent, even though the person may not
12 have received a majority or plurality of all votes cast at such election.

13 (e) In case of a tie vote for county superintendent of schools in any primary election, the
14 provisions of section twelve, article six of this chapter shall control in breaking the tie.

§3-5-13. Form and contents of ballots.

1 The following provisions apply to the form and contents of election ballots:

2 (1) The face of every primary election ballot shall conform as nearly as practicable to that
3 used at the general election.

4 (2) The heading of every ballot is to be printed in display type. The heading is to contain a
5 ballot title, the name of the county, the state, the words "Primary Election" and the month, day and
6 year of the election. The ballot title of the political party ballots is to contain the words "Official
7 Ballot of the (Name) Party" and the official symbol of the political party may be included in the
8 heading.

9 (A) The ballot title of any separate paper ballot or portion of any electronic or voting
10 machine ballot for all judicial officers shall commence with the words "Nonpartisan Ballot of
11 Election of Judicial Officers" and each such office shall be listed in the following order:

12 (i) The ballot title of any separate paper ballot or portion of any electronic or voting machine
13 ballot for all justices of the Supreme Court of Appeals shall contain the words "Nonpartisan Ballot
14 of Election of Justice(s) of the Supreme Court of Appeals of West Virginia". The names of the
15 candidates for the Supreme Court of Appeals shall be printed by division without references to
16 political party affiliation or registration.

17 (ii) The ballot title of any separate paper ballot or portion of any electronic or voting
18 machine ballot for all judges of the Intermediate Court of Appeals shall contain the words
19 "Nonpartisan Ballot of Election of Judge(s) of the Intermediate Court of Appeals". The names of
20 the candidates for the Intermediate Court of Appeals shall be printed by division without
21 references to political party affiliation or registration.

22 (iii) The ballot title of any separate paper ballot or portion of any electronic or voting
23 machine ballot for all circuit court judges in the respective circuits shall contain the words
24 "Nonpartisan Ballot of Election of Circuit Court Judge(s)". The names of the candidates for the
25 respective circuit court judge office shall be printed by division without references to political party
26 affiliation or registration.

27 (iv) The ballot title of any separate paper ballot or portion of any electronic or voting
28 machine ballot for all family court judges in the respective circuits shall contain the words
29 "Nonpartisan Ballot of Election of Family Court Judge(s)". The names of the candidates for the
30 respective family court judge office shall be printed by division without references to political party
31 affiliation or registration.

32 (v) The ballot title of any separate paper ballot or portion of any electronic or voting
33 machine ballot for all magistrates in the respective circuits shall contain the words "Nonpartisan
34 Ballot of Election of Magistrate(s)". The names of the candidates for the respective magistrate
35 office shall be printed by division without references to political party affiliation or registration.

36 (B) The ballot title of any separate paper ballot or portion of any electronic or voting
37 machine ballot for the office of county school superintendent is to contain the words "Nonpartisan
38 Ballot of Election of Superintendent of _____ County Schools". The names of the
39 candidates are to be printed without reference to political party affiliation.

40 ~~(B)~~ (C) The ballot title of any separate paper ballot or portion of any electronic or voting
41 machine ballot for the Board of Education is to contain the words "Nonpartisan Ballot of Election of
42 Members of the _____ County Board of Education". The districts for which fewer than
43 two candidates may be elected and the number of available seats are to be specified and the
44 names of the candidates are to be printed without reference to political party affiliation and without
45 designation as to a particular term of office.

46 ~~(C)~~ (D) Any other ballot or portion of a ballot on a question is to have a heading which
47 clearly states the purpose of the election according to the statutory requirements for that question.

48 (3) (A) For paper ballots, the heading of the ballot is to be separated from the rest of the
49 ballot by heavy lines and the offices shall be arranged in columns with the following headings, from
50 left to right across the ballot: "National Ticket", "State Ticket", "Nonpartisan Judicial Ballot",
51 "County Ticket", "Nonpartisan Ballot" in a nonpresidential election year, "District Ticket" or, in a
52 presidential election year, "National Convention". The columns are to be separated by heavy lines.
53 Within the columns, the offices are to be arranged in the order prescribed in §3-5-13a of this code.

54 (B) For voting machines, electronic voting devices and any ballot tabulated by electronic
55 means, the offices are to appear in the same sequence as prescribed in §3-5-13a of this code and
56 under the same headings as prescribed in paragraph (A) of this subdivision. The number of pages,
57 columns or rows, where applicable, may be modified to meet the limitations of ballot size and
58 composition requirements subject to approval by the Secretary of State.

59 (C) The title of each office is to be separated from preceding offices or candidates by a line
60 and is to be printed in bold type no smaller than eight point. Below the office is to be printed the
61 number of the district, if any, the number of the division, if any, and the words "Vote for _____"
62 with the number to be nominated or elected or "Vote For Not More Than _____" in
63 multicandidate elections. For offices in which there are limitations relating to the number of
64 candidates which may be nominated, elected or appointed to or hold office at one time from a
65 political subdivision within the district or county in which they are elected, there is to be a clear
66 explanation of the limitation, as prescribed by the Secretary of State, printed in bold type
67 immediately preceding the names of the candidates for those offices on the ballot in every voting
68 system. For counties in which the number of county commissioners exceeds three and the total
69 number of members of the county commission is equal to the number of magisterial districts within
70 the county, the office of county commission is to be listed separately for each district to be filled
71 with the name of the magisterial district and the words "Vote for One" printed below the name of
72 the office: *Provided*, That the office title and applicable instructions may span the width of the ballot
73 so as it is centered among the respective columns.

74 (D) The location for indicating the voter's choices on the ballot is to be clearly shown. For
75 paper ballots, other than those tabulated electronically, the official primary ballot is to contain a
76 square formed in dark lines at the left of each name on the ballot, arranged in a perpendicular
77 column of squares before each column of names.

78 (4) (A) The name of every candidate certified by the Secretary of State or the board of
79 ballot commissioners is to be printed in capital letters in no smaller than eight point type on the
80 ballot for the appropriate precincts. Subject to the rules promulgated by the Secretary of State, the
81 name of each candidate is to appear in the form set out by the candidate on the certificate of
82 announcement, but in no case may the name misrepresent the identity of the candidate nor may
83 the name include any title, position, rank, degree, or nickname implying or inferring any status as a
84 member of a class or group or affiliation with any system of belief.

85 (B) The city of residence of every candidate, the state of residence of every candidate
86 residing outside the state, the county of residence of every candidate for an office on the ballot in
87 more than one county and the magisterial district of residence of every candidate for an office
88 subject to magisterial district limitations are to be printed in lower case letters beneath the names
89 of the candidates.

90 (C) The arrangement of names within each office must be determined as prescribed in §3-
91 5-13a of this code.

92 (D) If the number of candidates for an office exceeds the space available on a column or
93 ballot page and requires that candidates for a single office be separated, to the extent possible, the
94 number of candidates for the office on separate columns or pages are to be nearly equal and clear
95 instructions given the voter that the candidates for the office are continued on the following column
96 or page.

97 (5) When an insufficient number of candidates has filed for a party to make the number of
98 nominations allowed for the office or for the voters to elect sufficient members to the Board of
99 Education or to executive committees, the vacant positions on the ballot shall be filled with the

100 words "No Candidate Filed": *Provided*, That in paper ballot systems which allow for write-ins to be
101 made directly on the ballot, a blank line shall be placed in any vacant position in the office of Board
102 of Education or for election to any party executive committee. A line shall separate each candidate
103 from every other candidate for the same office. Notwithstanding any other provision of this code, if
104 there are multiple vacant positions on a ballot for one office, the multiple vacant positions which
105 would otherwise be filled with the words "No Candidate Filed" may be replaced with a brief detailed
106 description, approved by the Secretary of State, indicating that there are no candidates listed for
107 the vacant positions.

108 (6) In presidential election years, the words "For election in accordance with the plan
109 adopted by the party and filed with the Secretary of State" is to be printed following the names of all
110 candidates for delegate to national convention.

111 (7) All paper ballots are to be printed in black ink on paper sufficiently thick so that the
112 printing or marking cannot be discernible from the back: *Provided*, That no paper ballot voted
113 pursuant to the provisions of 42 U.S.C. §1973, *et seq.*, the Uniformed and Overseas Citizens
114 Absentee Voting Act of 1986, or federal write-in absentee ballot may be rejected due to paper type,
115 envelope type, or notarization requirement. Ballot cards and paper for printing ballots using
116 electronically sensible ink are to meet minimum requirements of the tabulating systems and are to
117 conform in size and weight to ensure ease in tabulation.

118 (8) Ballots are to contain perforated tabs at the top of the ballots and are to be printed with
119 unique sequential numbers from one to the highest number representing the total number of
120 ballots printed. On paper ballots, the ballot is to be bordered by a solid line at least one-16th of an
121 inch wide and the ballot is to be trimmed to within one-half inch of that border.

122 (9) On the back of every official ballot or ballot card the words "Official Ballot" with the name
123 of the county and the date of the election are to be printed. Beneath the date of the election there
124 are to be two blank lines followed by the words "Poll Clerks".

125 (10) The face of sample paper ballots and sample ballot labels are to be like other official

126 ballots or ballot labels except that the word "sample" is to be prominently printed across the front of
127 the ballot in a manner that ensures the names of candidates are not obscured and the word
128 "sample" may be printed in red ink. No printing may be placed on the back of the sample.

§3-5-13a. Order of offices and candidates on the ballot; uniform drawing date.

1 (a) The order of offices for state and county elections on all ballots within the state shall be
2 as prescribed herein. When the office does not appear on the ballot in an election, then it shall be
3 omitted from the sequence. When an unexpired term for an office appears on the ballot along with
4 a full term, the unexpired term shall appear immediately below the full term.

5 NATIONAL TICKET: President (and Vice President in the general election), United States
6 Senator, member of the United States House of Representatives.

7 STATE TICKET: Governor, Secretary of State, Auditor, Treasurer, Commissioner of
8 Agriculture, Attorney General, State Senator, member of the House of Delegates, any other
9 multicounty office, state executive committee.

10 NONPARTISAN JUDICIAL BALLOT: Justice of the Supreme Court of Appeals, judge of
11 the circuit court, family judge, magistrate.

12 COUNTY TICKET: Clerk of the circuit court, county commissioner, clerk of the county
13 commission, prosecuting attorney, sheriff, assessor, surveyor, congressional district executive
14 committee, senatorial district executive committee in multicounty districts, delegate district
15 executive committee in multicounty districts.

16 NONPARTISAN BALLOT: Nonpartisan elections for County superintendent of schools,
17 board of education, conservation district supervisor, any question to be voted upon.

18 DISTRICT TICKET: County executive committee.

19 NATIONAL CONVENTION: Delegate to the national convention -- congressional district,
20 delegate to the national convention -- at-large.

21 (b) Except for office divisions in which no more than one person has filed a certificate of
22 announcement, the arrangement of names for all offices shall be determined by lot according to

23 the following provisions:

24 (1) On the fourth Tuesday following the close of the candidate filing, beginning at 9:00 a.m.,
25 a drawing by lot shall be conducted in the office of the clerk of the county commission in each
26 county. Notice of the drawing shall be given on the form for the certificate of announcement and no
27 further notice shall be required. The clerk of the county commission shall superintend and conduct
28 the drawing and the method of conducting the drawing shall be prescribed by the Secretary of
29 State.

30 (2) Except as provided herein, the position of each candidate within each office division
31 shall be determined by the position drawn for that candidate individually: *Provided*, That if fewer
32 candidates file for an office division than the total number to be nominated or elected, the vacant
33 positions shall appear following the names of all candidates for the office.

34 (3) Candidates for delegate to national convention who have filed a commitment to a
35 candidate for president shall be listed alphabetically within the group of candidates committed to
36 the same candidate for president and uncommitted candidates shall be listed alphabetically in an
37 uncommitted category. The position of each group of committed candidates and uncommitted
38 candidates shall be determined by lot by drawing the names of the presidential candidates and for
39 an uncommitted category.

40 (4) A candidate or the candidate's representative may attend the drawings.

CHAPTER 6. GENERAL PROVISIONS RESPECTING OFFICERS.

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

§6-5-1. When terms of office to begin.

1 The terms of officers, except when elected or appointed to fill vacancies, shall begin
2 respectively as follows: That of Governor, Secretary of State, State Superintendent of Free
3 Schools, Treasurer, Auditor, Attorney General and Commissioner of Agriculture, on the first

4 Monday after the second Wednesday of January next after their election; that of a member of the
 5 Legislature, on December 1, next after his or her election; and that of the justices of the Supreme
 6 Court of Appeals, the judges of the Intermediate Court of Appeals, the judges of the several circuit
 7 courts, the judges of the family and other inferior courts, the county commissioners, prosecuting
 8 attorneys, surveyors of land, assessors, sheriffs, clerks of the circuit, or other inferior courts, clerks
 9 of the county commissions, superintendents of schools, magistrates, on January 1, next after their
 10 election.

11 Whenever a person is elected or appointed to fill a vacancy, his or her term shall be as
 12 prescribed by chapter three of this code.

CHAPTER 18. EDUCATION.

ARTICLE 4. COUNTY SUPERINTENDENT OF SCHOOLS.

§18-4-1. Election and term; interim superintendent.

1 (a) The county superintendent shall be ~~appointed by the board upon a majority vote of the~~
 2 ~~members thereof~~ elected by the qualified voters of that county to serve for a term of ~~not less than~~
 3 ~~one, nor more than~~ four years. At the expiration of the term or terms for which he or she shall have
 4 been elected or appointed, each county superintendent shall be eligible for ~~reappointment for~~
 5 ~~additional terms of not less than one, nor more than four years~~ reelection.

6 (1) At the expiration of his or her term or terms of service the county superintendent may
 7 transfer to any teaching position in the county for which he or she is qualified and has seniority,
 8 unless dismissed for statutory reasons.

9 (2) ~~The appointment of the county superintendent shall be made between January 1 and~~
 10 ~~June 1 for a term beginning on July 1 following the appointment~~

11 (b) In the event of a vacancy in the superintendent's position that results in an incomplete
 12 term, the board may appoint an interim county superintendent:

13 (1) To serve until ~~the following July~~ January 1 following the next general election, if the

14 ~~vacancy occurs before March 1~~

15 (2) ~~To serve until July 1 of the next following year if the vacancy occurs on or after March 1,~~
16 ~~unless a superintendent is appointed sooner~~ A special election to fill that vacancy shall take place
17 concurrent with the next regularly scheduled primary election, and in accordance with the
18 provisions of §3-5-1 et. seq. of this code.

19 (c) If the superintendent becomes incapacitated due to accident or illness to an extent that
20 may lead to prolonged absence, the county board, by unanimous vote, may enter an order
21 declaring that an incapacity exists in which case the county board shall appoint an acting
22 superintendent to serve until a majority of the members of the board determine that the incapacity
23 no longer exists. An acting superintendent may not serve in that capacity for more than one year,
24 nor later than the expiration date of the superintendent's term, whichever occurs sooner, unless he
25 or she is reappointed by the county board.

26 (d) Immediately following the ~~appointment~~ election of a county superintendent or
27 appointment of an interim county superintendent, the president of the county board shall certify the
28 appointment to the state superintendent. Immediately following the appointment of an acting
29 county superintendent or a vote by a majority of the members of the county board that an
30 incapacity no longer exists, the president of the county board shall certify the appointment,
31 reappointment, or appointment termination of the acting superintendent to the state
32 superintendent.

33 (e) During his or her term ~~of appointment~~, the county superintendent shall be a state
34 resident and shall reside in the county which he or she serves or in a contiguous county. The
35 county superintendent in office on the effective date of this section shall continue in office until the
36 expiration of his or her term.

NOTE: The purpose of this bill is to modify the law relating to the nonpartisan election of county superintendents of schools. The bill provides general provisions for such an election. The bill specifies the arrangement of the ballot to include such officers. The bill

provides for the placement of such persons on a primary election ballot. The bill prescribes the manner of election of such persons. The bill provides for the form and content of ballots. The bill provides for the order of offices and candidates on ballots. The bill specifies the term of office for county superintendents of schools. The bill clarifies and enumerates relevant points concerning the election of county superintendents of schools. The bill provides for the filling of vacancies in such office by temporary appointment. Finally, the bill provides for elections to fill such vacancies.

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