

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4695

By Delegate Gearheart

[Introduced January 15, 2024; Referred
to the Committee on the Judiciary]

21 submitted to the Governor within the 15-day period, the Governor shall appoint, within five days
22 thereafter, a legally qualified person of the same political party with which the person holding the
23 office immediately preceding the vacancy was affiliated at the time the vacancy occurred.

24 Furthermore,

25 (1) If the vacancy occurs on or before the primary cutoff date, then an election shall be held
26 pursuant to §3-10-1 of this code; or

27 (2) If the vacancy occurs after the primary cutoff date, but on or before the general cutoff
28 date, then the Governor shall issue a proclamation providing for: (A) A special filing period; (B) a
29 special primary election to be held in conjunction with the upcoming general election; and (C) a
30 special general election to be held not less than 84 nor more than 120 days following the date of
31 the special primary election. Each election shall follow the requirements of §3-10-1 of this code
32 that are not in conflict with this section.

NOTE: The purpose of this bill is to make the filling of a vacancy occurring in the House of Representatives in the Congress of the United States in the same manner as a vacancy in the Senate of the United States Congress.

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