

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5138**

By Delegates Kump, Foster, C. Pritt, Phillips, Horst,  
Ridenour, Hite, Chiarelli, Butler, Kimble, and Marple

[Introduced January 25, 2024; 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 §3-8-16, relating to requiring legislative approval before implementing any new  
 3 federal guidance on elections, accepting any new federal funds for elections, and  
 4 mandating that the Governor, Secretary of State, and the Legislature be notified when they  
 5 receive communications from any federal agency regarding elections.

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

**ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS**

**§3-8-16. Federal Involvement in Elections.**

1 (a) Legislative approval will be necessary for the implementation of any federal guidance  
 2 concerning elections.

3 (b) Legislative approval will be necessary before any new federal funding related to  
 4 elections can be accepted.

5 (c) State and local agencies will notify the Governor, Secretary of State, and the  
 6 Legislature when they receive communications from any federal agency regarding elections.

NOTE: The purpose of this bill is to require legislative approval before implementing any new federal guidance on elections, accepting any new federal funds for elections, and mandating that the Governor, Secretary of State, and the Legislature be notified when they receive communications from any federal agency regarding elections.

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