

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5384**

By Delegates Ridenour, Steele, Martin, Foster,  
Hillenbrand, Ward, Phillips, Mallow, Marple, Warner,  
and Dean

[Introduced January 31, 2024; Referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §3-5-6e of the Code of West Virginia, 1931, as amended, relating to  
 2 changing the date for election of judges of the Intermediate Court of Appeals to the same  
 3 date as the general election.

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

**ARTICLE 5. PRIMARY ELECTIONS AND NOMINATING PROCEDURES.**

**§3-5-6e. Election of judges of the Intermediate Court of Appeals.**

1 (a) The Legislature finds that representative democracy works best when the largest  
 2 number of eligible voters participate in an election. The Legislature also finds that far more eligible  
 3 voters participate in general elections than primary elections.

4 (b) An election for the purpose of electing a Judge or Judges of the Intermediate Court of  
 5 Appeals shall be held on the same date as the ~~primary~~ general election, as provided by law, upon a  
 6 nonpartisan ballot by division printed for this purpose.

7 ~~(b)~~ (c) In case of a tie vote under this section, §3-6-12 of this code controls in breaking the  
 8 tie vote.

NOTE: The purpose of this bill is to change the date for election of judges of the Intermediate Court of Appeals to the same date as the general election.

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