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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2002

ENROLLED

SENATE BILL NO. 438

(By Senator Wooten, et al)

PASSED March 9, 2002

In Effect 90 days from Passage

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Senate Bill No. 438

(BY SENATORS WOOTON, BAILEY AND HUNTER)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-a, relating to requiring division of motor vehicles to provide a mechanism on certain applications to allow persons to indicate their preference to register with selective service system; and specifying the effect of signing the application under certain circumstances.

Be it enacted by the Legislature of West Virginia:

That chapter seventeen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article two-a, to read as follows:

ARTICLE 2A. REQUIREMENT OF COMPLIANCE WITH SELECTIVE SERVICE REGISTRATION.

§17B-2A-1. Legislative intent.

1 It is the intent of the Legislature in enacting this article
2 to protect state residents from the penalties associated
3 with failing to register with the United States selective
4 service system and to help ensure that any future draft is
5 fair and equitable to all potential draftees.

6 The Legislature finds and declares that the penalties
7 associated with noncompliance are severe, including, but
8 not limited to, a felony conviction and forfeiture of the
9 ability to seek state employment from certain state
10 agencies and departments. In addition, failure to register
11 may permanently preclude the violator from acquiring
12 many federal benefits, such as federal employment,
13 including employment with the United States postal
14 service, federal and state student financial assistance,
15 participation in federally funded job training programs
16 and eligibility for United States citizenship for immigrants
17 seeking citizenship.

18 Therefore, in recognition of the severe consequences of
19 noncompliance and the importance of helping ensure that
20 any future draft is fair and equitable, it is the intent of the
21 Legislature to notify state residents of their responsibility
22 to register with selective service and to provide them the
23 opportunity to register concurrent with applying for a
24 driver's license or identification card.

**§17B-2A-2. Compliance with registration requirements of
military selective service act.**

1 The division of motor vehicles shall provide a mechanism
2 on each application for the issuance, renewal or duplicate
3 of an instruction permit, a driver's license, a professional
4 driver's license, a commercial driver's license or an
5 identification card by which those persons required to
6 register in compliance with the requirements of section
7 three of the "Military Selective Service Act", 50 U.S.C.
8 App. 451, *et seq.*, may indicate their preference to allow
9 the division to forward required information to the
10 selective service system. If the applicant so indicates, his

- 11 signature on the application may serve as his consent to
- 12 registration with the selective service system, if he is not
- 13 already registered.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Carly Orr
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Barrett G. Schuss
.....
Clerk of the Senate

Barry W. Boy
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *3rd*
Day of *April* 2002.

[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/25/02

Time 11:10 am