

SB 190 S

FILED

2004 FEB -3 A 10: 08

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2004

ENROLLED

SENATE BILL NO. 190

(By Senator Kessler, et al)

PASSED January 23, 2004

In Effect from Passage

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 190

(BY SENATORS KESSLER, HELMICK, UNGER, EDGELL, PREZIOSO,
OLIVERIO, SNYDER, BAILEY, SHARPE, PLYMALE, MCCABE,
ROSS, BOWMAN, CHAFIN, CALDWELL, DEMPSEY, HUNTER,
MINARD, ROWE AND FANNING)

[Passed January 23, 2004; in effect from passage.]

AN ACT to amend and reenact §3-5-8 of the code of West Virginia, 1931, as amended, relating to altering the amount of presidential and vice presidential certificate of announcement filing fees.

Be it enacted by the Legislature of West Virginia:

That §3-5-8 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 5. PRIMARY ELECTIONS AND NOMINATING PROCEDURES.

§3-5-8. Filing fees and their disposition.

1 Every person who becomes a candidate for nomination
2 for or election to office in any primary election shall, at the
3 time of filing the certificate of announcement as required
4 in this article, pay a filing fee as follows:

5 (a) A candidate for president of the United States, for
6 vice president of the United States, for United States
7 senator, for member of the United States House of Repre-

8 representatives, for governor and for all other state elective
9 offices shall pay a fee equivalent to one percent of the
10 annual salary of the office for which the candidate an-
11 nounces: *Provided*, That the filing fee for any candidate for
12 president or vice president of the United States shall not
13 exceed two thousand five hundred dollars commencing
14 with the two thousand four filing period;

15 (b) A candidate for the office of judge of a circuit court
16 and judge of a family court shall pay a fee equivalent to
17 one percent of the total annual salary of the office for
18 which the candidate announces;

19 (c) A candidate for member of the House of Delegates
20 shall pay a fee of one-half percent of the total annual
21 salary of the office and a candidate for state senator shall
22 pay a fee of one percent of the total annual salary of the
23 office;

24 (d) A candidate for sheriff, prosecuting attorney, circuit
25 clerk, county clerk, assessor, member of the county com-
26 mission and magistrate shall pay a fee equivalent to one
27 percent of the annual salary of the office for which the
28 candidate announces. A candidate for county board of
29 education shall pay a fee of twenty-five dollars. A candi-
30 date for any other county office shall pay a fee of ten
31 dollars;

32 (e) Delegates to the national convention of any political
33 party shall pay the following filing fees:

34 A candidate for delegate-at-large shall pay a fee of
35 twenty dollars; and a candidate for delegate from a
36 congressional district shall pay a fee of ten dollars;

37 (f) Candidates for members of political executive com-
38 mittees and other political committees shall pay the
39 following filing fees:

40 A candidate for member of a state executive committee
41 of any political party shall pay a fee of twenty dollars; a

42 candidate for member of a county executive committee of
43 any political party shall pay a fee of ten dollars; and a
44 candidate for member of a congressional, senatorial or
45 delegate district committee of any political party shall pay
46 a fee of five dollars.

47 Candidates filing for an office to be filled by the voters
48 of one county shall pay the filing fee to the clerk of the
49 circuit court and candidates filing for an office to be filled
50 by the voters of more than one county shall pay the filing
51 fee to the secretary of state at the time of filing their
52 certificates of announcement and no certificate of an-
53 nouncement shall be received until the filing fee is paid.

54 All moneys received by such clerk from such fees shall be
55 credited to the general county fund. Moneys received by
56 the secretary of state from fees paid by candidates for
57 offices to be filled by all the voters of the state shall be
58 deposited in a special fund for that purpose and shall be
59 apportioned and paid by him to the several counties on the
60 basis of population and that received from candidates from
61 a district or judicial circuit of more than one county shall
62 be apportioned to the counties comprising the district or
63 judicial circuit in like manner. When such moneys are
64 received by sheriffs, it shall be credited to the general
65 county fund.

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

Larry D. ...
.....
Chairman Senate Committee

Sharon Spencer
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Harold ...
.....
Clerk of the Senate

Buzz ...
.....
Clerk of the House of Delegates

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

Robert Stiss
.....
Speaker House of Delegates

The within *is approved* this the *31st*
Day of *February*, 2004.

Bob Wise
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 1/20/04

Time 11:55 AM