1 Senate Bill No. 400 2 (By Senators Wells, D. Facemire, Yost and Foster) 3 4 [Introduced January 24, 2012; referred to the Committee on 5 Military; and then to the Committee on the Judiciary.] 6 7 8 9 10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-2-6a, relating to 11 late voter registration for any member of a uniformed service 12 of the United States, as defined in 42 U.S.C. §1973ff-6, any 13 member of the Merchant Marine of the United States, any person 14 15 who resides temporarily outside of the United States and the 16 spouse or dependent residing with a person that fits the 17 criteria. 18 Be it enacted by the Legislature of West Virginia: 19 That the Code of West Virginia, 1931, as amended, be amended 20 by adding thereto a new section, designated §3-2-6a, to read as 21 follows: 22 ARTICLE 2. REGISTRATION OF VOTERS. 23 §3-2-6a. Extended time for certain persons to register in person. (a) Notwithstanding the provisions of section six of this 24

- 1 article, the following persons are entitled to register in person
- 2 at the office of the clerk of the county commission up to, but not
- 3 including, the day of the election:
- 4 (1) Any member of a uniformed service of the United States, as
- 5 defined in 42 U.S.C. \$ 1973ff-6 (7), who is on active duty;
- 6 (2) Any member of the Merchant Marine of the United States;
- 7 (3) Any person who resides temporarily outside of the United 8 States; and
- 9 (4) Any spouse or dependent residing with a person listed in 10 subdivision 1, 2 or 3 of this subsection.
- 11 The provisions of this subsection apply only to those persons
- 12 who are otherwise qualified to register and who, by reason of such
- 13 active duty or temporary overseas residency, either; (i) Are
- 14 normally absent from the county in which they reside; or (ii) have
- 15 been absent from such county and returned to reside there during
- 16 the twenty-one days immediately preceding the election.
- 17 (b) Any person who was on active duty as a member of a
- 18 uniformed service of the United States and discharged from the
- 19 uniformed service during the sixty days immediately preceding the
- 20 election, and the member's spouse or dependent, are entitled to
- 21 register, if otherwise qualified, in person up to, but not
- 22 including, the day of the election.
- 23 (c) The Secretary of State shall prescribe procedures for the
- 24 addition of persons registered under this section to the lists of

1 registered voters.

NOTE: The purpose of this bill is to provide late voter registration opportunities to individuals covered by the Uniformed and Overseas Citizens Act of 1986 for a period up to, but not to include, election day.

\$3-2-6a is new; therefore, strike-throughs and underscoring have been omitted.