1	Senate Bill No. 431
2	(By Senators Unger, Foster, Yost, Klempa and Beach)
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4	[Introduced January 26, 2012; referred to the Committee on the
5	Judiciary.]
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10	A BILL to amend and reenact $\$3-2-6$ of the Code of West Virginia,
11	1931, as amended, relating to lengthening the period for voter
12	registration; permitting registration during early voting at
13	the county clerk's office; permitting persons to register and
14	vote on the same day during the early voting period; and
15	prohibiting persons from changing party affiliation during the
16	early voting period preceding a primary election.
17	Be it enacted by the Legislature of West Virginia:
18	That $\$3-2-6$ of the Code of West Virginia, 1931, as amended, be
19	amended and reenacted to read as follows:
20	ARTICLE 2. REGISTRATION OF VOTERS.
21	§3-2-6. Time of registration application before an election.
22	(a) (1) Voter registration before an election shall close on
23	the twenty-first day before the election, or on the first day
24	thereafter which is not a Saturday, Sunday or legal holiday.
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1 (2) (A) Beginning January 1, 2013, and for each election held 2 thereafter, voter registration before an election shall close at 3 the end of business hours at the close of early voting for that 4 election.

5 (B) Voter registration conducted during early voting shall 6 occur only at the office of the clerk of the county commission.

7 <u>(C) During this period of voter registration, a person who is</u> 8 <u>already registered to vote in the county may update the information</u> 9 <u>in the registration record in accordance with section twenty-two of</u> 10 <u>this article, and may also update an address if he or she has moved</u> 11 from one county to a new county within the state.

12 (D) A person who registers to vote pursuant to the provisions 13 of this subdivision and who is eligible to vote, may only vote at 14 an early-voting site during the early-voting period as provided in 15 section three, article three of this chapter.

16 <u>(E) During the period of voter registration during early</u> 17 <u>voting prior to a partisan primary, a person who is already</u> 18 <u>registered to vote, may not change his or her party affiliation.</u>

(b) An application for voter registration, transfer of registration, change of name or change of political party affiliation submitted by an eligible voter by the close of voter registration shall be effective for any subsequent primary, general special election if the following conditions are met:

24 (1) The application contains the information required by

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1 subsection (c), section five of this article: *Provided*, That 2 incomplete applications for registration containing information 3 which are submitted within the required time may be corrected 4 within four business days after the close of registration if the 5 applicant provides the required information; and

6 (2) The application is received by the appropriate clerk of 7 the county commission no later than the hour of the close of 8 registration or is otherwise submitted by the following deadlines: 9 (A) If mailed, the application shall be addressed to the 10 appropriate clerk of the county commission and is postmarked by the 11 postal service no later than the date of the close of registration: 12 *Provided*, That if the postmark is missing or illegible, the 13 application shall be presumed to have been mailed no later than the 14 close of registration if it is received by the appropriate clerk of 15 the county commission no later than the third day following the 16 close of registration;

17 (B) If accepted by a designated agency or motor vehicle 18 licensing office, the application is received by that agency or 19 office no later than the close of registration;

20 (C) If accepted through a registration outreach program, the 21 application is received by the clerk, deputy clerk or registrar no 22 later than the close of registration; and

(3) The verification notice by the provisions of section24 sixteen of this article mailed to the voter at the residence

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1 indicated on the application is not returned as undeliverable.

NOTE: The purpose of this bill is to lengthen the period for voter registration through the end of early voting. The bill permits registration during early voting to occur only at the county courthouse and permits persons to register and vote on the same day during the early-voting period. The bill also prohibits persons from changing party affiliation during the early-voting period preceding a partisan primary election.

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