1	Senate Bill No. 518
2	(By Senators Palumbo, Foster, Jenkins, Klempa, Browning and
3	Williams)
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5	[Introduced February 6, 2012; referred to the Committee on the
6	Judiciary.]
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L1	A BILL to amend and reenact $\$6-5-5$ of the Code of West Virginia,
L2	1931, as amended, relating to matters affecting the right to
L3	hold office; and prohibiting certain persons from being
L 4	elected or appointed to positions under the laws of the State
L 5	of West Virginia.
L 6	Be it enacted by the Legislature of West Virginia:
L 7	That $\$6-5-5$ of the Code of West Virginia, 1931, as amended, be
L 8	amended and reenacted to read as follows:
L 9	ARTICLE 5. TERMS OF OFFICE; MATTERS AFFECTING THE RIGHT TO HOLD
20	OFFICE.
21	§6-5-5. Disqualification by conviction of treason, felony, or
22	bribery or perjury.

- 1 (a) No person under conviction for treason, a felony, perjury
- 2 or bribery in an election may be elected or appointed to any
- 3 elective office under the laws of this state and should any person,
- 4 while holding such office, be so convicted, the office shall be
- 5 vacated thereby.
- 6 (b) As used in this section:
- 7 (1) "Felony" means a crime punishable by incarceration for a
- 8 period in excess of one year in the courts of this state, another
- 9 state or the United States; and
- 10 (2) "Under Conviction" means a finding of guilt which has not
- 11 been reversed, vacated or expunded by a court of competent
- 12 jurisdiction or unconditionally pardoned by an executive or entity
- 13 with the authority to so act.

NOTE: The purpose of this bill is to prohibit certain persons from being elected or appointed to positions under the laws of the State of West Virginia.

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