WEST virginia legislature

2021 regular session

Introduced

Senate Bill 46

By Senators Hamilton, Lindsay, and Grady

[Introduced February 10, 2021; referred
to the Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-10-5a, relating to requiring one-year residency within the district or county prior to appointment to fill a vacancy to a seat in the Legislature.

Be it enacted by the Legislature of West Virginia:

Article 10. Filling vacancies.

§3-10-5a. Residency within district or county required for one year prior to appointment to vacancy in State Legislature.

No person shall be appointed to fill a vacancy in the office of State Senator or as a member of the House of Delegates who has not for one year preceding the appointment been a resident within the district or county he or she will represent.

NOTE: The purpose of this bill is to the require residency of a person within the district or county he or she will represent for one year prior to any appointment to a vacancy in the office of State Senator or as a member of the House of Delegates.

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