WEST virginia legislature

2021 regular session

Introduced

Senate Bill 7

By Senators Trump, Phillips, Takubo, Woodrum, and Swope

[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 article, designated §6B-4-1, relating to a limitation on political activity by public employees.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. political activity BY PUBLIC EMPLOYEES.

§6B-4-1. Limitation on political activity by public employees.

(a) For purposes of this section, “political activity” shall mean any activity to urge any person to vote for or against any candidate or ballot issue or to support or oppose a political committee, political party or any other organization engaged in electioneering communications or independent expenditures as defined in §3-8-1a of this code.

(b) Notwithstanding any provision of this code to the contrary, a public employee may not engage in political activity: —

(1) While on duty;

(2) In any room or building occupied in the discharge of official duties by an individual employed or holding office in the State of West Virginia or any agency or political subdivision thereof;

(3) While wearing a uniform or official insignia identifying the office or position of the employee; or

(4) Using any vehicle owned or leased by the State of West Virginia or any agency or instrumentality thereof.

NOTE: The purpose of this bill is to place a limitation on political activity by public employees.

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