WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3497

By Delegates Holstein, Hornby, Jeffries, Kimble, Hanna, Foster, and Keaton

[Introduced February 14, 2023; 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 §3-1-52, relating to prohibiting ranked choice voting in West Virginia.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-52. Prohibiting ranked-choice voting in West Virginia.

(a) "Ranked choice voting" is defined as a method for casting and tabulating votes in which voters rank candidates for an office in order of preference, and then tabulation occurs in rounds, with each round dropping the candidate with the least support and then reallocating the first-place votes from the eliminated candidate to the second-choice candidates.

(b) Ranked choice voting may not be used to elect or nominate any candidate to any local, state, or federal office in the state. Any election utilizing ranked choice voting is invalid. No official may be sworn into office on the basis of such an election.

(c) The prohibitions of this section do not apply to the internal processes of political parties, such as conventions, the elections of political party officers, or other nonpublic decision-making procedures by political parties.

NOTE: The purpose of this bill is to prohibit ranked choice voting in West Virginia.

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