

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 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.

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

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

8 (c) The prohibitions of this section do not apply to the internal processes of political parties,
9 such as conventions, the elections of political party officers, or other nonpublic decision-making
10 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.