

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

Senate Bill 624

By Senators Tarr, Woodrum, Roberts, and Takubo

[Passed March 9, 2024; to take effect January 1,
2025]

1 AN ACT to amend and reenact §3-2-6 and §3-2-27 of the Code of West Virginia, 1931, as
2 amended, all relating to voter registration procedures; specifying times of closure of voter
3 registration before election; and authorizing cancellation of voter registration for individuals
4 who are no longer West Virginia citizens and who have obtained driver's license in another
5 state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. REGISTRATION OF VOTERS.

§3-2-6. Time of registration application before an election.

1 (a) Voter registration before an election closes on the 21st day before the election or on the
2 first day thereafter which is not a Saturday, Sunday, or legal holiday at

3 (1) 11:59 p.m. for online registration; or

4 (2) At the close of business at county clerk's offices and the Secretary of State's office.

5 (b) An application for voter registration, transfer of registration, change of name, or change
6 of political party affiliation submitted by an eligible voter by the close of voter registration is
7 effective for any subsequent primary, general, or special election if the following conditions are
8 met:

9 (1) The application contains the information required by §3-2-5(c) of this code. Incomplete
10 applications for registration containing information which are submitted within the required time
11 may be corrected within four business days after the close of registration if the applicant provides
12 the required information; and

13 (2) The application is received by the appropriate clerk of the county commission no later
14 than the hour of the close of registration or is otherwise submitted by the following deadlines:

15 (A) If mailed, the application shall be addressed to the appropriate clerk of the county
16 commission and is postmarked by the postal service no later than the date of the close of
17 registration. If the postmark is missing or illegible, the application is presumed to have been mailed
18 no later than the close of registration if it is received by the appropriate clerk of the county

19 commission no later than the third day following the close of registration;

20 (B) If accepted by a designated agency or motor vehicle licensing office, the application is
21 received by that agency or office no later than the close of registration;

22 (C) If accepted through a registration outreach program, the application is received by the
23 clerk, deputy clerk, or registrar no later than the close of registration;

24 (D) If accepted through an approved electronic voter registration system, the application is
25 received by the clerk of the county commission or other entity designated by the Secretary of State
26 no later than 11:59 p.m. on the final day of registration; and

27 (3) The verification notice required by the provisions of §3-2-16 of this code mailed to the
28 voter at the residence indicated on the application is not returned as undeliverable.

**§3-2-27. Procedure following sending of confirmation notices; correction or cancellation of
registrations upon response; designation of inactive when no response;
cancellation of inactive voters; records.**

1 (a) Upon receipt of a confirmation response card mailed pursuant to the provisions of §3-2-
2 26 of this code and returned completed and signed by the voter, the clerk shall either:

3 (1) Update the voter registration by noting the confirmation of the current address if no
4 other changes are requested or by entering any change of address within the county, change of
5 name, or other correction requested by the voter; or

6 (2) Cancel the voter's registration if the voter confirms that he or she has moved out of the
7 county.

8 (b) Upon receipt of the confirmation notice returned undeliverable, the clerk may either:

9 (1) Send a second confirmation notice to the old residence address if the first notice was
10 sent to a new address provided by the postal service; or

11 (2) Designate the registration as inactive or transfer it to the inactive voter registration file,
12 as defined in section 19 of this article.

13 (c) If no response to the confirmation notice is received by February 1 following the mailing

14 of the confirmation notice, the clerk shall designate the registration as inactive or transfer it to the
15 inactive voter registration file as provided in §3-2-19 of this code.

16 (d) An inactive voter registration shall be returned to active status or transferred to the
17 active voter registration file upon the voter's application to update the registration or to vote in any
18 election while they remain on the inactive list.

19 (e) The clerk of the county commission shall cancel the records of all voters on the inactive
20 file who have not responded to the confirmation notice, otherwise updated their voter registrations
21 or voted in any state, county, or municipal primary, general or special election held within the
22 county during a period beginning on the date of the notice and ending on the day after the date of
23 the second general election for federal office which occurs after the date of the notice.

24 (f) Upon notification by the Secretary of State, the clerk of the county commission shall
25 cancel the records of all voters who are no longer West Virginia citizens and have obtained a
26 driver's license in another state based on information provided by the Division of Motor Vehicles
27 under § 3-2-4a(g) of this code.

28 (g) The amendments to this section enacted by the Legislature in the 2024 Regular
29 Session are effective January 1, 2025.