

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3202**

By Delegates Dillon, Anders, and Ridenour

[Introduced March 06, 2025; 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 §7-1-17; and to amend said code by adding thereto a new section, designated  
3 §18-5-52, all relating to providing for the process of a recall election for county  
4 commissioners or county board of education officials.

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

### **ARTICLE 1. COUNTY COMMISSIONS GENERALLY.**

#### **§7-1-17. Referendum and recall for elected county commission positions.**

1 All county commissions in this state shall provide for any or all of the following:

2 (1) The initiation of a recall election by petition bearing the signatures, written in their own  
3 handwriting, of not less than 10% of the qualified voters of such county;

4 (2) The submission to the qualified voters of such county of a proposed recall at a county  
5 commission meeting upon petition bearing the signatures, written in their own handwriting, of not  
6 less than 10% of the qualified voters of such county or upon resolution of the governing body of  
7 such county; and

8 (3) The holding of a special municipal election, or the question to be presented in a primary  
9 or general election, to submit to the qualified voters of such county the question of the recall of an  
10 elected officer of the county commission upon petition bearing the signatures, written in their own  
11 handwriting, of not less than 20% of the qualified voters of such county. Not more than one recall  
12 election shall be held with respect to an officer during his or her term of office.

## **CHAPTER 18. EDUCATION.**

### **ARTICLE 5. COUNTY BOARD OF EDUCATION.**

#### **§18-5-52. Referendum and recall for elected county board of education positions.**

1 All county boards of education in this state shall provide for any or all of the following:

2 (1) The initiation of a recall election by petition bearing the signatures, written in their own

3 handwriting, of not less than 10% of the qualified voters of such county;

4 (2) The submission to the qualified voters of such county of a proposed recall at a county  
5 board of education meeting upon petition bearing the signatures, written in their own handwriting,  
6 of not less than 10% of the qualified voters of such county or upon resolution of the governing body  
7 of such county; and

8 (3) The holding of a special municipal election, or the question to be presented in a primary  
9 or general election, to submit to the qualified voters of such county the question of the recall of an  
10 elected officer of the county board of education upon petition bearing the signatures, written in  
11 their own handwriting, of not less than 20% of the qualified voters of such county. Not more than  
12 one recall election shall be held with respect to an officer during his or her term of office.

NOTE: The purpose of this bill relates to providing for the process of a recall election for county commissioners or county board of education officials.

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