

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4091

By Delegate Pritt

[Introduced January 14, 2026; referred to the
Committee on the Judiciary]

1 A BILL to amend and the Code of West Virginia, 1931, as amended, by adding thereto a new
2 section, designated §6-6-10, relating to providing for the removal of elected and certain
3 appointed officers by courts.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. REMOVAL OF OFFICERS.

§6-6-10. Removal of elected and certain appointed officers by courts.

1 (a) Upon petition, a circuit court may remove from office any elected officer or officer who
2 has been appointed to fill an elective office, residing within the jurisdiction of the court:

3 (1) For neglect of a clear, ministerial duty of the office, misuse of the office, or
4 incompetence in the performance of the duties of the office when that neglect of duty, misuse of
5 office, or incompetence in the performance of duties has a material adverse effect upon the
6 conduct of the office;

7 (2) Upon conviction of a misdemeanor; or

8 (3) Upon conviction, and after all rights of appeal have terminated, of sexual assault,
9 attempted sexual assault, peeping or spying into dwelling or enclosure, consensual sexual
10 intercourse with a child 15 years of age or older, or indecent exposure of himself or herself or
11 procuring another to expose himself or herself, and such conviction has a material adverse effect
12 upon the conduct of such office.

13 (b) The petition must be signed by a number of registered voters who reside within the
14 jurisdiction of the officer equal to 15 percent of the total number of votes cast at the last election for
15 the office that the officer holds.

NOTE: The purpose of this bill is to provide for the removal of elected and certain appointed officers by courts.

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