

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5273

FISCAL
NOTE

By Delegates Funkhouser, Akers, Hillenbrand, and

Heckert

[By Request of the Secretary of State]

[Introduced ; referred

to the Committee on]

1 A BILL to amend and reenact §3-8-5b of the Code of West Virginia, 1931, as amended, relating to
 2 campaign financial statements by candidates for municipal office; requiring candidates for
 3 municipal offices to file campaign financial statements with the county clerk; and requiring
 4 all financial reports for all elected offices to be published online by the filing officer within 48
 5 hours of the close of the filing period.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. REGULATION AND CONTROL OF ELECTIONS.

§3-8-5b. Where financial statements and reports shall be filed; filing date prescribed.

1 (a) The financial statements provided for in this article shall be filed, by or on behalf of
 2 candidates, with:

3 (1) The Secretary of State for legislative offices, circuit judge, and family court judge, and
 4 for statewide and other offices to be nominated or elected by the voters of a political division
 5 greater than a county; or

6 (2) The clerk of the county commission by candidates for:

7 (A) offices Offices to be nominated or elected by the voters of a single county or a political
 8 division within a single county, except circuit judge and family court judge; ~~or~~ and

9 (B) Offices to be nominated or elected to a municipal office in the same manner as
 10 prescribed by §3-1-31 of this code: *Provided*, That for a municipality that sits in more than one
 11 county, the financial statements required by this section shall be filed in the county that contains
 12 the greatest geographical proportion of the municipality.

13 ~~(3) The proper municipal officer by candidates for office to be nominated or elected to~~
 14 ~~municipal office.~~

15 (b) Financial statements shall be published to the public on a website or webpage
 16 maintained by the office with which the reports are filed by no later than 48 hours after the close of
 17 each filing period.

18 ~~(b)(c)~~(1) The following statements or reports shall be filed electronically, in a manner
19 prescribed by the Secretary of State:

20 (A) Financial statements filed by or on behalf of candidates for Governor, Secretary of
21 State, Attorney General, Auditor, Treasurer, Commissioner of Agriculture, State Senate, House of
22 Delegates, Supreme Court of Appeals, circuit judge, or family court judge;

23 (B) Financial statements filed by political committees;

24 (C) Electioneering communication reports; and

25 (D) Independent expenditure reports.

26 (2) If through or by no fault of the candidate the candidate is unable to file the campaign
27 financial statement, the candidate shall then file said statement in person, via facsimile or other
28 electronic means of transmission, or by certified mail postmarked at the first reasonable
29 opportunity.

30 (3) Committees required to report electronically may apply to the State Election
31 Commission for an exemption from mandatory electronic filing in the case of hardship. An
32 exemption may be granted at the discretion of the State Election Commission.

33 ~~(e)~~ (d) Candidates for all offices not identified in subsection ~~(b)(c)~~ of this section may file
34 financial statements by mail, in person, by facsimile, or by other electronic means of transmission.
35 For purposes of this article, the filing date of a financial statement shall, in the case of mailing, be
36 the date of the postmark of the United States Postal Service, and in the case of hand delivery or
37 delivery by facsimile or other electronic means of transmission, the date delivered to the office of
38 the Secretary of State, or to the office of the clerk of the county commission, in accordance with the
39 provisions of subsection (a) of this section, during regular business hours of that office.

40 ~~(d) The sworn financial statements required to be filed by this section with the Secretary of~~
41 ~~State shall be posted on the Internet by the Secretary of State within 10 business days from the~~
42 ~~date the financial statement is filed.~~

NOTE: The purpose of this bill is to increase transparency into county and municipal campaign finance activities by requiring all campaign finance reports for all elected offices in the state to be published online within 48 hours of the deadline, and to require municipal candidates file their campaign finance reports with the County Clerk of the County in which they are running.

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