

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5565

**FISCAL
NOTE**

By Delegate Phillips

[Introduced February 16, 2026; referred to the
Committee on Finance]

1 A BILL to amend and re-enact §3-1-29 of the Code of West Virginia, 1931, as amended, relating to
 2 creating the State Election Poll Clerk Reimbursement Fund Account for county poll clerks
 3 to receive a stipend of \$100 per day for each day they work during early voting and/or
 4 election day for general elections.

Be it enacted by the Legislature of West Virginia:

CHAPTER 3. ELECTIONS.

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

**§3-1-29. Boards of election officials; definitions, composition of boards, determination of
number and type.**

1 (a) For the purpose of this article:

2 (1) The term "standard receiving board" means those election officials charged with
 3 conducting the process of voting within a precinct and consists of no less than five persons, to be
 4 comprised as follows:

5 (A) Each precinct shall have at least one team of poll clerks, one team of election
 6 commissioners for the ballot box, and one additional election commissioner; and

7 (B) At the discretion of the county clerk and county commission, any county may add
 8 additional teams of poll clerks and commissioners to any precinct, as necessary to fairly and
 9 efficiently conduct an election;

10 (C) All poll clerks shall receive a stipend of \$100 per day for each day they work during
 11 early voting and/or election day for general elections. Within 30 days after a general election,
 12 County Clerks will remit individual invoices for such stipends for each poll clerk eligible for same to
 13 the West Virginia Secretary of State for payment. The Secretary of State shall pay such stipends
 14 from a fund to be created by special revenue account created in the State Treasury and known as
 15 the State Election Poll Clerk Reimbursement Fund Account.

16 (2) The term "counting board" means those election officials charged with counting the

17 ballots at the precinct in counties using paper ballots and includes one team of poll clerks, one
18 team of election commissioners, and one additional commissioner.

19 (3) The term "team of poll clerks" or "team of election commissioners" means two persons
20 appointed by opposite political parties to perform the specific functions of the office: *Provided*, That
21 no team of poll clerks or team of election commissioners may consist of two persons with the same
22 registered political party affiliation or two persons registered with no political party affiliation; and

23 (4) The term "election official trainee" means an individual who is 16 or 17 years of age who
24 meets the requirements of subdivisions §3-1-28(2–6) of this code.

25 (b) For each primary and general election in the county, the county commission shall
26 designate the number and type of election boards for the various precincts according to the
27 provisions of this section. At least 84 days before each primary and general election the county
28 commission shall notify the county executive committees of the two major political parties in
29 writing of the number of nominations which may be made for poll clerks and election
30 commissioners.

31 (c) Until July 1, 2032, for each municipal election held at a time when there is no county or
32 state election:

33 (1) The governing body of the municipality shall perform the duties of the county
34 commission as provided in this section; and

35 (2) The standard receiving board may, at the discretion of the official charged with the
36 administration of election, consist of as few as four persons, including one team of poll clerks and
37 one team of election commissioners for the ballot box.

NOTE: The purpose of this bill is to create the State Election Poll Clerk Reimbursement Fund Account for county poll clerks to receive a stipend of \$100 per day for each day they work during early voting and/or election day for general elections.

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