

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4911**

By Delegates Anders and Kump

[Introduced January 29, 2026; referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §3-1-8 of the Code of West Virginia, 1931, as amended, relating to  
2 the definition of a political party for all state and local elections; providing official ballot  
3 status to a political party that has received at least one percent of the votes in the  
4 preceding general election for a statewide office or has at least 5,000 voters registered as  
5 members of that party; and making the definition applicable to municipalities.

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

**ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

**§3-1-8. Political party defined; parties or groups that may participate in municipal primary  
all state and local elections.**

1 Any affiliation of voters representing any principle or organization which, at the last  
2 preceding general election, polled for its candidate for Governor at least one per cent of the total  
3 number of votes cast for all candidates for that office in the state, ~~shall be~~ or which has a minimum  
4 of 5,000 voters registered in it, statewide, is a political party, within the meaning and for the  
5 purpose of this chapter. ~~Provided, That notwithstanding the foregoing provisions of this section,~~  
6 ~~the governing body of any municipality may, by ordinance adopted by the affirmative vote of at~~  
7 ~~least three fourths of the members of such governing body by recorded vote, provide that~~  
8 ~~municipal political parties or groups within such municipality that do not meet the requirements of~~  
9 ~~this section for classification as a political party may participate in the primary elections of any such~~  
10 ~~municipality. Any such ordinance shall contain provisions implementing the foregoing proviso,~~  
11 ~~which implementing provisions shall conform as nearly as practicable to any general provisions of~~  
12 ~~law relating to municipal primary elections~~

NOTE: The purpose of this bill is to change the definition of a political party for all state and local elections by providing official ballot status to a political party that has received at least one percent of the votes in the preceding general election for a statewide office or has at least 5,000 voters registered as members. The bill also makes the definition applicable to municipalities.

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