

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2499

BY DELEGATE SUMMERS AND CAPITO

[Introduced January 17, 2019; Referred
to the Committee on Political Subdivisions then the
Judiciary.]

1 A BILL to amend and reenact §3-4A-15 of the Code of West Virginia, 1931, as amended, relating
2 to the publication of sample ballots for electronic voting machines; clarifying that in
3 counties where an electronic voting system has been adopted, the legal ballot
4 advertisements are to consist of a facsimile of the absentee ballot or a facsimile of each
5 of the electronic voting system screens with the names of the candidates and the offices
6 for which they are running shown in their proper positions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4A. ELECTRONIC VOTING SYSTEMS.

§3-4A-15. Instructions and help to voters; vote-recording device models; facsimile diagrams; sample ballots; legal ballot advertisements.

1 (a) For the instruction of the voters on any election day in counties utilizing an electronic
2 voting system that uses a screen upon which votes may be recorded by means of a stylus or by
3 means of touch, the ballot commissioners shall provide for each polling place a sample ballot with
4 each screen as it will appear on the devices, together with written instructions regarding the
5 operation of the devices. Upon request, the election officers shall offer instruction to each voter,
6 before voting, in the operation of the vote-recording device.

7 (b) The ballot commissioners shall also provide facsimile ballots, at least two of which, or
8 complete sets of which, are to be posted on the walls of each polling place. The facsimile diagrams
9 are exact diagrams of the ballots or screens so that the voter may become familiar with the
10 location of the parties, offices, candidates and questions as they appear on the ballot to be used
11 in his or her precinct.

12 (c) The ballot commissioners may, with the consent of the county commission, or the
13 county commission may, prepare and mail to each qualified voter at the address shown on the
14 registration books a facsimile sample of the ballot or screens for his or her precinct.

15 (d) In counties where an electronic voting system has been adopted, the legal ballot
16 advertisements required by §3-5-1 *et seq.*, and §3-6-1 *et seq.* of this code, which specify the

- 17 publication of a facsimile sample ballot, are to consist of a facsimile of the absentee ballot or a
18 facsimile of each of the electronic voting system screens with the names of the candidates and
19 the offices for which they are running shown in their proper positions.

NOTE: The purpose of this bill is to provide for a more cost-effective system of publication of sample ballots for electronic voting machines. Currently, county commissions interpret the law to allow only publication of screenshots of the voting machine screens. The screens are substantially larger than absentee ballot images, and publication of such will substantially decrease WV's counties' legal publication costs.

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