

# Election Bills: WV Legislature, 2022

Judy K. Ball, LWV-WV Elections Chair, and LWV-Morgantown-Monongalia County

# Key Dates in Legislative Calendar

FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Feb 15 - Last day to introduce bills in House.
- Feb 21 - Last day to introduce bills in Senate.
- Feb 27 - Bills due out of committees.
- **Mar 2, Crossover Day** - Last day to consider most bills on Third Reading.
- March 12 - Last day of session.



---

# Agenda

---

1. LWV-WV Legislative Priorities
2. No-excuse Absentee Voting
3. Redistricting
4. Overview of Election Bills

Topic one

Legislative  
Priorities

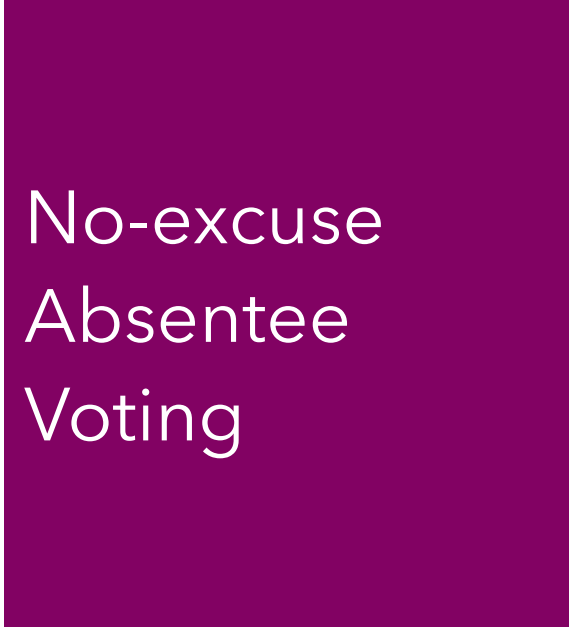
# LWV-WV 2022 Legislative Priorities:

## Democracy

- Oppose restrictions on voter registration or voting.
- Advocate for methods to increase voter turnout, based on lessons learned from the 2020 elections.
- Prioritize measures to make voting easier, while protecting election security, including no-excuse absentee voting and expanded options for ballot return and early in-person voting.
- Support legislation to modernize election methods, reduce taxpayer costs, and reduce administrative burden.
- Oppose any effort to make political spending less transparent.
- Support measures to increase transparency and public participation in the next redistricting process.

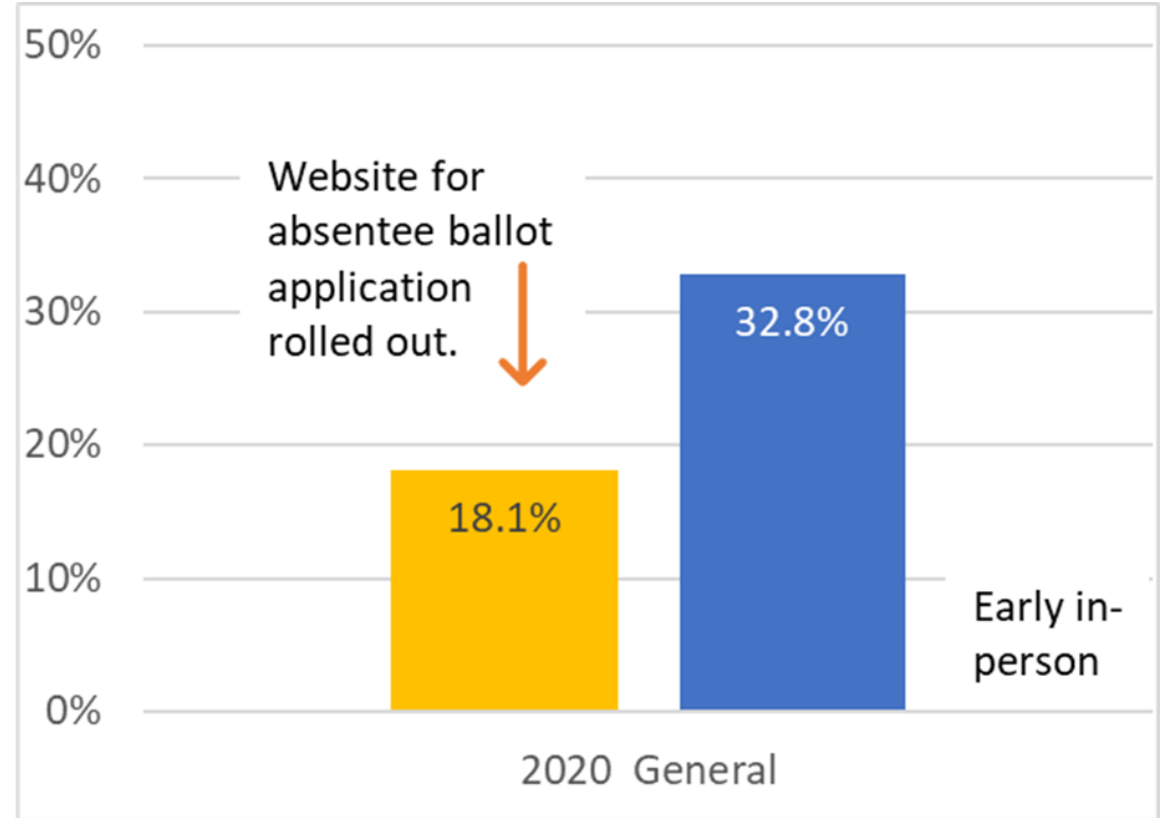
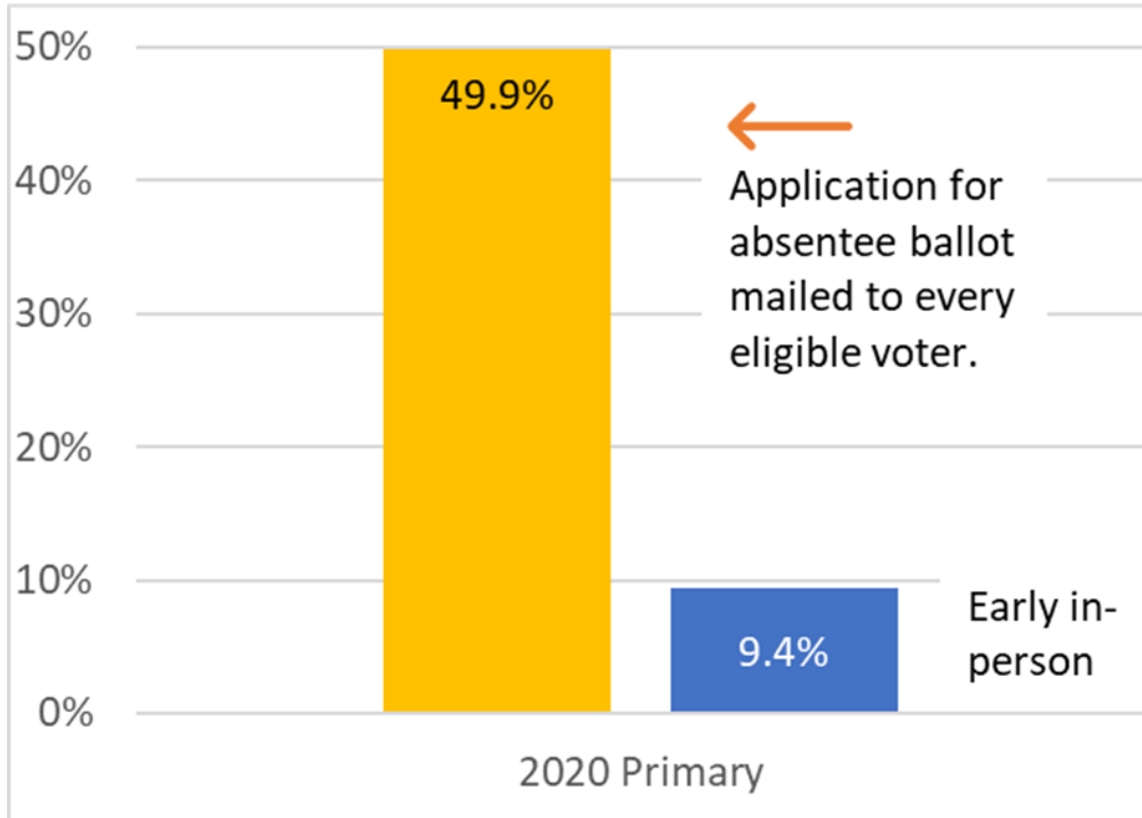


# Topic two



No-excuse  
Absentee  
Voting

# Easier Voting Is Possible, 2020



Typical absentee rate in WV is 2%.

# Universal Absentee Voting: Why?

- 2020 successes cannot be repeated without Legislative action.
- Absentee eligibility (current law) is TOO complicated for voters and clerks.
- It works. Historic turnout in 2020, even with little advance notice/education.
- WV is a good fit: rural, transportation deficits, demographics.
- No evidence that voting by mail benefits the “wrong party.”
- Potential to save taxpayers money.
- Just as secure. Maybe more so.
- Pandemic is not over.



# Universal (no-excuse) Absentee Voting Bills

## **Bills Pending x 4 (Judiciary)**

- **HB 4468** - Permits all registered voters to vote absentee, simplifies methods to reduce administrative burden on county clerks, simplifies procedures for implementation in 2022.
- SB 200 - Similar to HB 2814 (2021 session).
- SB 240 - Straightforward but incomplete.
- HB 2928 - Simple and straightforward but incomplete (similar to SB 240).



# Topic Three



Redistricting

# Redistricting

## **Bills Pending x 4, Constitutional Amendments x 2**

- [SB 253](#) - Designates SOS as WV liaison to Census Bureau. Requires county commissions to submit precinct updates to SOS, with other responsibilities. (Some counties failed to submit proper data to Census for 2020.)
- HB 2099 - Reduces number of districts to 16 for Senate and 96 for House.
- **HB 2549, HJR 27, HJR 5** - Creates Independent Redistricting Commission. (Trying to take the politics out of redistricting.)
- **HB 4099** - Increases transparency in apportionment process for congressional and legislative districts. (Assuming an Independent Commission is unlikely, takes a step to improve transparency and inform the public for participation.)



# Topic Four



Overview of  
Bills

# My Grades

---

Grade	# in Senate	# in House
Good	12	23
Bad	2	14
Ugly	1	6
<b>Total</b>	<b>15</b>	<b>43</b>
Universal absentee voting	2	2

- Bills under subject "Elections."
- I reviewed each bill and assigned a grade.
- Reasonable people may differ.
- Latest update Feb 25

# Selected Good Bills (1)

## **Same-day voter registration (HB 2625)**

- Permit election-day registration.
- Somewhat clunky, without electronic registration.

## **Requires SOS to create digital voter database (HB 4693)**

- One computerized system for entire state.
- Previous law permitted SOS to do this. He has not. This bill mandates it.

# Selected Good Bills (2)

## **Improve voter info (SB 20, HB 3160)**

- Creates an online voters' guide.
- Candidate info from certificate of announcement, plus personal statements.
- Step toward voters' guide that could be mailed to every voter.

## **Non-partisan election of certain "court officers" (HB 4700)**

- County prosecutors & county clerks would be elected on non-partisan ballots.
- Tries to remove politics from offices that should be apolitical.

# Selected Good Bills (3)

## **Permit former felons to vote (HB 2864, HB 4543, SB 488)**

- Eligibility to vote restored after period of incarceration is over.
- Removes probation, parole ineligibility.

## **Align local/special elections with statewide elections (SB 125, HB 2602, HB 4353)**

- Increase voter turnout.
- Save taxpayer money.



# Selected Bad Bills (1)

## Change absentee rules

- HB 2921 - Changes eligibility for “Physical disability or immobility due to extreme advanced age” to anyone over age 65.
- [HB 4312](#) - Adds e-voting option for some first responders.

## Just political

- HB 2248 - Prohibits public agencies or entities from making payroll deductions for organizations engaged in electioneering.
- HB 3257 - Prohibits presidential electors from voting for president/vp party that did not win majority (poorly defined).
- HB 3258, [HJR 106](#) - Makes school board elections partisan.

# Selected Bad Bills (2)

## Create questions about election security (solutions in search of problems?)

- SB 34 - Defines residency requirements for voting, but intent not to stay could be disqualifying. (Disqualify students?)
- [HB 4299](#) - Prohibits interference with voters' travel to/from the polls. (Is this a problem?)
- HB 4593 - Gives SOS authority to refer election fraud cases to AG if county prosecutor does not act.
- [HB 4311](#) - Creates felony for voting more than once or voting while ineligible.
- [HB 4438](#) - Prohibits voting machines from being networked. (Yet, WV uses e-voting.)
- HB 4293 - Prohibits mailing of absentee application without voter request. (Title calls this "mass mailing." Worked well in 2020.)

# Selected Very Bad Bills (1)

- SB 236 - Mandates voting by all eligible voters. (1<sup>st</sup> Amendment conflict.)
- HB 2607 - Requires photo ID to vote. (Several steps backward.)
- HB 2937 - Requires a vote on school closure or consolidation. (Local control.)
- HB 3233 - Prohibits electronic ballots. (19<sup>th</sup> Century.)
- HB 4395 - Attempts to regulate social media delivery of candidate info. (Overreach.)
- HB 4407 - Requires photo ID for mail-in ballots. (Voter suppression method from other states; another step backward.)

Act as if what  
you do makes  
a difference.  
It does.

---

-- William Blake

Thank you

---



Judy K. Ball



BallJK@aol.com



Follow **@lwww** on Facebook  
for updates.



More selected good bills, FYI

# Selected Good Bills (4)

## **Expands early voting (SB 16)**

- Voters who register in-person with county clerk may vote during early in-person voting.
- Step toward same-day registration.

## **Student registration/voting (HB 2066, HB 2118)**

- BOEs to set aside days for student registration and voting.
- Provide transportation to polls.
- Some BOEs do this already.
- Interferes with local control.

# Selected Good Bills (5)

## **Increases transparency/accountability**

- SB 54
- SB 107
- HB 2841
- [HB 4097](#)