

**I-866-OUR-VOTE
(1-866-687-8683)****Disclaimer:**

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VOTER REGISTRATION FORMS**1) Where can voter registration forms be obtained?**

There are several ways to get a voter registration form. A mail-in registration form can be downloaded from the West Virginia Secretary of State's website at:

<http://www.wvsos.com/elections/voters/registernow.htm>.

To request a registration form by mail, contact the county clerk or the West Virginia Secretary of State. County clerk contact information for each county can be found at the following website:

<http://www.wvsos.com/service/rosters/countyclerks.htm>.

Registration forms are also available in person at the county clerk's office at the county courthouse, driver's license offices, public assistance agencies, agencies which serve people with disabilities, marriage license offices (at county clerk's office) or military recruiting offices.

2) Are there restrictions on registering to vote using a photocopied voter registration form?

Photocopies of the West Virginia Voter Registration Application are accepted, provided that the signature on the application is original.

3) Are there restrictions on the use of the National Voter Registration Form?

The National Voter Registration Form can be used in West Virginia. The form may be photocopied, provided that the signature on the application is original. For more information or to obtain a form, visit <http://www.eac.gov/voter/Register%20to%20Vote>.

4) Are there restrictions regarding the use of registration form information?

Yes. Voter registration information will not be sold for commercial purposes. In addition, telephone numbers, social security numbers and driver's license numbers will remain confidential.

COMPLETING VOTER REGISTRATION FORMS**5) How long must one live in a county before he or she is eligible to register to vote?**

A person must have been a resident of the West Virginia county or city in which the person intends to register for a minimum of thirty (30) days prior to voting. If voting in person, this means thirty (30) days

prior to the general or primary Election Day. If voting early or by absentee ballot, this means thirty (30) days before submitting a ballot.

6) Are there any restrictions on registering to vote using a post office box, college campus, or dorm address?

A person may register to vote using any address he or she considers to be his or her legal residence. As long as a college campus or dorm address is a legal residence, such address may be used to register to vote.

A post office box is not a residence address. For a voter registration form to be considered valid, a legal residence address must be provided. However, the West Virginia voter registration form allows an applicant to list a mailing address in addition to his or her residence address. If an applicant wishes to list the post office box as his or her mailing address, he or she may do so.

7) If I enter or leave the state because of work or school, can I register to vote?

Use of any legal residence address, including a college address, is permissible provided that he or she considers that address to be his or her legal residence.

8) Are there any identification requirements to register to vote?

No. Voters may register by mail without providing identification. However, first-time voters who have not provided identification at registration are required to do so at the polling place.

If registering in person, identification and proof of age should be presented at the time of registration. Valid forms of identification include:

- a current and valid photo identification;
- a copy of a current utility bill, bank statement, government check or paycheck; or
- a copy of a government document that shows the name and address of the voter.

9) Are there any identification requirements in order to vote?

In some cases, no. If a person is a duly-registered voter at the precinct where he or she chooses to vote, no identification is necessary. He or she will only be required to sign his or her name in the poll book.

However, if a person registers by mail, has not voted in an election in that state, and has not yet presented identification to the Secretary of State or clerk of the county commission, then one of the following forms of identification must be presented at the polling place (or enclosed with the ballot if voting by mail):

- a current and valid photo identification;
- a copy of a current utility bill, bank statement, government check or paycheck; or
- a copy of a government document that shows the name and address of the voter.

If the voter does not present one of these forms of identification at the polling place, that person can still vote by casting a provisional ballot. A provisional ballot is a paper ballot that will only be counted if the voter's eligibility and proper registration can be confirmed.

10) What are the rules regarding missing or illegible information on registration forms?

If the registration form is incomplete, the clerk can deny the application for voter registration. An application that does not contain each of the following will be considered incomplete:

- 1) the applicant's legal name, including the first name, middle or maiden name, if any, and last name;
- 2) the month, day and year of the applicant's birth;
- 3) the applicant's residence address, including the number and street or route and city and county of residence except:
 - a. in the case of a person eligible to register under the Uniformed and Overseas Citizens Absentee Voting Act, the address listed should be that where he or she last resided before leaving the United States or entering the uniformed services, or if the applicant is a dependent child of such a person, the address listed should be that address where his or her parent last resided; or
 - b. in the case of a homeless person having no fixed address who nevertheless resides and remains regularly within the county, the address used should be the address of a shelter, assistance center or family member with whom he or she has regular contact or another specific location approved by the county commission; and
- 4) the applicant's signature.

If an application for registration is denied because it is incomplete, the clerk will inform the voter of the right to reapply and will enclose a mail-in voter registration form for that purpose.

11) Can a person whose name has changed since registering vote on Election Day?

Yes. A person can update his or her information at the polling place. However, if updating information at the polling place, he or she must bring a valid form of identification such as the forms of identification listed in **Question 8**.

REGISTERING OTHERS TO VOTE

12) What are the laws regarding third-party registration?

To the extent possible, the clerk of the Secretary of State will make registration forms available for distribution through private entities or organized voter registration programs. However, the Secretary of State will make a record of all requests by entities or organizations for 200 or more registration forms and will record a description of the dates and locations where the voter registration drive is to be conducted. The Secretary of State will also require the entity or organization requesting the registration forms to provide contact information on a form prescribed by the Secretary of State. The Secretary of State also has the right to limit the distribution of registration forms to a reasonable amount per group.

The county clerk will also make forms available to entities and voter registration programs within the county. The clerk will record all requests for ten or more forms as well as the dates and locations of the proposed drives. The clerk may also limit the distribution of registration forms to a reasonable amount per group.

Any person who agrees to mail or deliver a signed registration form and who intentionally interferes with the applicant's effort to register by destroying or failing to mail or deliver the application in a timely manner, is guilty of a misdemeanor.

13) Are there any laws regarding submission of voter registration forms by individuals receiving compensation?

No. There are no express provisions in the West Virginia Code prohibiting the submission of voter registration forms by individuals receiving compensation.

14) Is training required for voter registration drives?

No training is required.

15) Are volunteers or staff of voter registration drives required to be county or state residents?

No, they are not.

REGISTRATION DEADLINES

16) What is the deadline to register to vote?

For the 2008 General Election, the deadline is Tuesday, October 14, 2008. West Virginia requires voters to be registered twenty-one (21) days before an election.

All applications to vote must be submitted or postmarked no later than the 21st day before the date of the first election in which the individual intends to vote. Applications that are mailed but are not postmarked, or where the postmark is illegible, shall be deemed to be timely received if they arrive within three (3) business days following registration closing time.

17) Must organizations or individuals engaged in voter registration drives submit their forms within a certain period of time?

Any person who agrees to mail or deliver a signed registration form and who intentionally interferes with the applicant's effort to register by destroying or failing to mail or deliver the application in a timely manner, is guilty of a misdemeanor. The registration deadline is twenty-one (21) days before a general election. All applications to vote must be submitted or postmarked no later than the 21st day before the date of the first election in which the individual intends to vote.

18) Is Election Day registration allowed?

Individuals who register to vote on Election Day will not be permitted to vote in that election. For the registration deadline, **see Question 16.**

19) Does state election law allow for early or absentee voting?

Early voting in person is permitted in West Virginia starting twenty (20) days before the election and ending three (3) days before the election.

Absentee voting is also permitted. Eligible voters may vote by absentee ballot only if they fall under one of the following categories:

- (1) any voter who is confined to a specific location and prevented from voting in person throughout the period of voting because of illness, injury or other medical reason; physical disability or immobility due to extreme advanced age; or incarceration or home detention (provided that the underlying conviction is not for a crime which is a felony or pertains to a violation involving bribery in an election);
- (2) any voter who is absent from the county throughout the period and available hours for voting in person because of:
 - A. personal or business travel;
 - B. attendance at college, university or other place of education or training; or
 - C. employment which, because of hours worked and distance from the county seat, make voting in person impossible;
- (3) any voter absent from the county throughout the period and available hours for voting in person and who is an absent uniformed services voter or overseas voter as defined by the Uniformed and Overseas Citizens Absentee Voting Act of 1986, including members of the uniformed services on active duty, members of the merchant marine, spouses and dependents of those members on active duty and persons who reside outside the United States and are qualified in the last place in which the person was domiciled before leaving the United States;
- (4) any voter who is required to dwell temporarily outside the county and is absent from the county throughout the time for voting in person because of:
 - A. serving as an elected or appointed federal or state officer; or
 - B. serving in any other documented employee assignment of specific duration of four years or less; and
- (5) any voter for whom the designated area for absentee voting within the county courthouse or annex of the courthouse and the voter's assigned polling place are inaccessible because of his or her physical disability.

Absentee ballots can be found at the county clerk's office and must be requested by six days before the election. For the 2008 General Election, applications for an absentee ballot by mail will be accepted from eligible voters from August 12, 2008, to October 29, 2008. Ballots must be returned to the county clerk by Election Day, with a few exceptions. If the application for absentee voting is submitted in person, it must be submitted no later than November 3, 2008, for the 2008 General Election. Absentee ballots with postmarks or shipping dates by Election Day by mail or express delivery, and absentee ballots from military or overseas voters without postmarks or shipping date marks received by mail or express delivery, may be accepted for counting if received by November 10, 2008, at the start of the official tallying of votes (the start of the canvass.) All other absentee ballots without postmarks or

shipping date marks received by mail or express delivery, may be accepted for counting if received by November 5, 2008. Absentee ballots can be requested by telephone, fax or email. Additionally, applications for absentee ballots can be found at each general registrar's office or online at: <http://www.wvsos.com/elections/voters/absenteemethods.htm>

VOTER REGISTRATION RESOURCES

20) Are there any helpful election contacts?

For more election information, contact the West Virginia Secretary of State at:

Elections Division
Secretary of State
Bldg. I, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770
elections@wvsos.com
1-866-767-8683

21) What web resources are available?

The West Virginia Secretary of State has a website dedicated to providing information on elections and the voter registration process: <http://www.wvsos.com/elections/main.htm>. This site includes a list of frequently asked questions as well as information regarding absentee ballots and voter registration.

The National Campaign for Fair Elections is another resource:
http://nationalcampaignforfairelections.org/pages/west_virginia