



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/1/2015 11:42:22 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 3 -- NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY Secretary Of State

RULE TYPE Legislative AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 153-

RULE NAME Elimination of Precinct Registration Books 09

CITE AUTHORITY 3-2-21

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 153-09



Rule Id: 9802



Document: 26860



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FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 1)

AGENCY Secretary Of State

RULE TYPE Legislative **AMENDMENT TO EXISTING RULE** Yes **TITLE-SERIES** 153-

RULE NAME Elimination of Precinct Registration Books **09**

CITE AUTHORITY 3-2-21

PRIMARY CONTACT

Dave Nichols

1900 Kanawha Blvd E

Bldg 1 Ste-157K

Charleston, STATE ZIP

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CITE AUTHORITY 3-2-21

AUTHORIZING STATUTE(S) CITATION
3-2-21

DATE FILED IN STATE REGISTER WITH NOTICE OF HEARING OR PUBLIC COMMENT PERIOD
Wednesday, May 27, 2015

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?
Copies of the proposed change were provided to the County Clerks' Association.

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED
Tuesday, June 30, 2015

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 2)

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CITE AUTHORITY 3-2-21

**ATTACH LIST OF PERSONS WHO APPEARED AT HEARING, COMMENTS RECEIVED,
AMENDMENTS, REASONS FOR AMENDMENTS.**

No comments received

**DATE YOU FILED IN STATE REGISTER THE AGENCY APPROVED PROPOSED LEGISLATIVE RULE
FOLLOWING PUBLIC HEARING: (BE EXACT)**

Wednesday, July 01, 2015

**Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in
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CITE AUTHORITY 3-2-21

IF THE STATUTE UNDER WHICH YOU PROMULGATED THE SUBMITTED RULES REQUIRES CERTAIN FINDINGS AND DETERMINATIONS TO BE MADE AS A CONDITION PRECEDENT TO THE PROMULGATION. GIVE THE DATE UPON WHICH YOU FILED IN THE STATE REGISTER A NOTICE OF THE TIME AND PLACE OF A HEARING FOR THE TAKING OF EVIDENCE AND A GENERAL DESCRIPTION OF THE ISSUES TO BE DECIDED.

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 4)

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CITE AUTHORITY 3-2-21

DATE OF HEARING OR COMMENT PERIOD

**ON WHAT DATE DID YOU FILE IN THE STATE REGISTER THE FINDINGS AND DETERMINATIONS
REQUIRED TOGETHER WITH THE REASONS THEREFOR?**

ATTACH FINDINGS AND DETERMINATIONS AND REASONS

None

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

**Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in
accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)

AGENCY Secretary Of State

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PRIMARY CONTACT

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Charleston, STATE ZIP

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SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

The proposed repeal will have no impact on the costs or revenue of state government.

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)

AGENCY Secretary Of State

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CITE AUTHORITY 3-2-21

FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.

| Effect Of Proposal | Current Increase/Decrease (use ' - ') | Next Increase/Decrease (use ' - ') | Fiscal Year (Upon Full Implementation) |
|-------------------------------------|--|---|---|
| ESTIMATED TOTAL COST | 0 | 0 | 0 |
| PERSONAL SERVICES | 0 | 0 | 0 |
| CURRENT EXPENSES | 0 | 0 | 0 |
| REPAIRS AND ALTERATIONS | 0 | 0 | 0 |
| ASSETS | 0 | 0 | 0 |
| OTHER | 0 | 0 | 0 |
| ESTIMATED TOTAL REVENUES | 0 | 0 | 0 |

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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)

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RULE NAME Elimination of Precinct Registration Books 09

CITE AUTHORITY 3-2-21

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.

Because all counties have complied with the provisions of the rule, there will be no impact on the costs or revenues caused by the rule's repeal.

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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CITE AUTHORITY 3-2-21

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

Because all counties have complied with the provisions of the rule, there will be no impact on the costs or revenues caused by the rule's repeal.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Natalie E Tennant -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)

AGENCY Secretary Of State

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CITE AUTHORITY 3-2-21

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

Because all counties have now fulfilled the provisions of this rule, it is obsolete. The rule is proposed for repeal.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

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TITLE 153
LEGISLATIVE RULE
SECRETARY OF STATE

SERIES 9
ELIMINATION OF PRECINCT REGISTRATION BOOKS

~~§153-9-1. General.~~

~~1.1. Scope. — This rule provides for implementation of state law relating to the maintenance of state voter registration records.~~

~~1.2. Authority. — W. Va. Code §3-2-21.~~

~~1.3. Filing Date. — April 25, 2000.~~

~~1.4. Effective Date. — June 12, 2000.~~

~~§153-9-2. Definitions.~~

~~2.1. "State Uniform Data System" means a uniform software program and system of digitized electronic storage of voter registration records.~~

~~2.2. "Precinct Registration Books" means the hard cover books which contain the voter registration records.~~

~~§153-9-3. Elimination of Separate Precinct Registration Books.~~

~~A county may eliminate precinct registrations books after it has officially adopted the State Uniform Data System.~~

~~3.2. The State Uniform Data System shall contain the following information for each voter:~~

~~3.2.1. first, middle and last name; and,~~

~~3.2.2. residence address including city, county, number and street or RFD and Zip number;~~

~~3.2.3. mailing address, if any;~~

~~3.2.4. date of birth;~~

~~3.2.5. gender;~~

~~3.2.6. last four numbers of social security number;~~

~~3.2.7. party affiliation;~~

~~3.2.8. registration number;~~

~~3.2.9. precinct number;~~

~~3.2.10. date of registration;~~

~~3.2.11. record of name, address and party changes;~~

~~3.2.12. voting record; and~~

~~3.2.13. voter's signature.~~

~~3.3. The county may use State Uniform Voter Data System voter records as precinct registration records after they have been approved by the secretary of state.~~

~~3.4. When the State Uniform Voter Data System is adopted and is in successful use, the county clerk may apply to eliminate the use of precinct registration books by applying in writing to the secretary of state. The written request shall include:~~

~~3.4.1. the vendor and the name of the State Uniform Voter Data used by the county; and,~~

~~3.4.2. a certified copy of an actual voter record which includes the information required under subsection 3.2. of this section.~~