

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In this Box

FILED

JUL 6 3 35 PM '99

OFFICE OF THE SECRETARY OF STATE
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Secretary of State TITLE NUMBER: 153

RULE TYPE: Legislative; CITE AUTHORITY: §3-2-21

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 9

TITLE OF RULE BEING PROPOSED: Elimination of Precinct Registration Books

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 5, 1999 AT 9:00 am. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

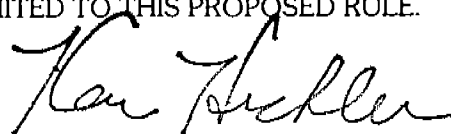
Secretary of State

Building 1, Suite 157-K

1900 Kanawha Blvd., E.

Charleston, WV 25305-0770

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



By J. C. Costo, Deputy Secretary of State

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$2.60

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Elimination of Precinct Registration Books

Type of Rule: Legislative Interpretive Procedural

Agency Secretary of State

Address 1900 Kanawha Blvd., E.
Charleston, WV 25305-0770

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEORETICAL
<u>ESTIMATED TOTAL COST</u>	\$ n/a	\$ n/a	\$ n/a	\$ n/a	\$ n/a
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

None of the above is applicable to this rule.

3. Objectives of these rules:

To provide for implementation of state law relating to the maintenance of state voter registration records as specified in West Virginia Code §3-2-21.

Rule Title: Elimination of Precinct Registration Books

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

none

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

none

C. Economic Impact on Citizens/Public at Large.

none

Date: July 6, 1999

Signature of Agency Head or Authorized Representative

Jaw Casto

SUMMARY

TITLE 153, SERIES 9

This legislative rule provides for implementation of state law relating to the maintenance of state voter registration records as specified in West Virginia Code §3-2-21.

**TITLE 153
LEGISLATIVE RULE
SECRETARY OF STATE**

**SERIES 9
ELIMINATION OF PRECINCT REGISTRATION BOOKS**

FILED
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OFFICE OF THE SECRETARY OF STATE
COMMONWEALTH OF VIRGINIA

§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. –

1.4. Effective Date. –

§153-9-2. Definitions.

This section defines terms used in this rule.

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 official voter registration records of the voters in a specific precinct.

2.3. "Precinct Voter Records" means the computer generated official record of voter registration information of the voters in a specific precinct.

2.4. "Voter Registration Records" means the official records of voter information.

§153-9-3. Elimination of separate precinct registration books.

This section establishes a means for eliminating precinct registration books.

3.1. The elimination of precinct registrations books may be accomplished only after a county has officially adopted the State Uniform Data System.

3.2. The State Uniform Data System must 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 code number; and,

3.2.3. mailing address, if any; and,

3.2.4. date of birth; and,

3.2.5. gender; and,

3.2.6. last four numbers of social security number; and,

3.2.7. party affiliation; and,

3.2.8. registration number; and,

3.2.9. precinct number; and,

3.2.10. date of registration; and,

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

3.2.12. voting record.

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

3.3.1. the vendor and the name of the State Uniform Voter Data software used by the county; and,

3.3.2. a certified copy of an actual voter data record which includes the information detailed in 3.2.

3.4. State Uniform Voter Data System voter records may be used as precinct registration records after their approval by the secretary of state.