

# 2010 WEST VIRGINIA ELECTION CALENDAR

Being an UNOFFICIAL, CONDENSED version of the official election calendar issued by Natalie Tennant, Secretary State.

Numbers at the end of each entry indicate Michie's West Virginia Code, and the Cumulative Supplement thereto, showing Chapter, Article and Section (as Code \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_).

## PRIMARY ELECTION MAY 11

- Jan. 2 - May 5:** Receive Application For Absentee Ballot From Military Or Overseas Voter (3-3-1 3-3-5)
- Jan. 8 - 25\*:** Give Notice Of Appointment Of Ballot Commissioners (3-1-19)
- Jan. 11 Deadline:** Notice of Precinct Change (3-1-7; 59-3-1 et. seq.)
- Jan. 11 - 30:** Candidate Filing Period (All State Senate & House Candidates File at Secretary of State's Office (3-5-7 3-5-8 3-5-8a)
- Jan. 15 - 30:** Appoint Ballot Commissioners (3-1-19)
- Feb. 1:** Inactive Voters Designated (3-2-19 3-2-24 3-2-25)
- Feb. 1\* - 28:** Voter Registration Data Copied as Permanent Record (3-2-29)
- Feb. 10:** Deadline for Ordering Precinct Change (3-1-7)
- Feb. 10:** Adopt Medical Emergency Absentee Voting Policy (3-3-5(d))
- Feb. 10:** Petition for Suspension of Election Official (3-1-28)
- Feb. 10:** Notice of Emergency Precinct Change (3-1-7; 59-3-1 et. seq.)
- Feb. 12 Deadline:** Executive Committees Fill Vacancies for Primary (3-5-11)
- Feb. 16 Deadline:** Executive Committee Chair Fills Vacancies for Primary (3-5-11)
- Feb. 16:** Candidate Withdrawal Deadline (3-5-11)
- Feb. 16 - May 5:** Application For Absentee Ballot by All Other Eligible Voters (Except Uniformed & Overseas Voters) (3-3-5)
- Feb. 16 Deadline:** Notice of Number of Election Officials and Emergency Absentee Voting Commissioners (3-1-29 3-3-5d)
- Feb. 16:** Secretary of State Certifies and Posts List of Candidates (3-5-9)
- Feb. 23:** Drawing for Order on Ballot. Drawing to be held at 9:00 a.m. (3-5-13a)
- March 1:** Last day Executive Committee may fill vacancies for General Election (3-5-19(b))
- March 2:** Secretary of State Certifies Candidates To County Clerk (3-5-9 3-5-12)
- March 2:** Estimate Number Of Absentee Ballots (3-3-11; 3-1-21)
- March 2 (Approx):** Death Of Candidate; May be removed from ballot by ballot commissioners at request of family (3-5-11)
- March 2 Deadline:** Election Official Nominations Filed (3-1-30)
- March 3:** Last day Executive Committee Chair may fill vacancies for General Election (3-5-19(b))
- March 12 Deadline:** Emergency Precinct Change Order (3-1-7 59-3-1 et. seq.)
- March 16 Deadline:** Notice of Number of Sets of Emergency Absentee Voting Commissioners Needed (3-3-5(b))
- Mar. 23 - May 11:** County Clerks Fill Vacancies of Election Officials (3-1-30)
- March 23 Deadline:** Election Officials & Alternates Appointed (3-1-30 3-3-5c 3-4-13 3-4-14)
- March 26\* Deadline:** Last day to conduct approved program for voter registration of eligible high school students (3-2-8)
- Mar. 27 - Apr. 2:** First primary financial report (or annual report) (3-8-5)
- March 30 Deadline:** Write-in Candidate Filing Deadline For Primary (Elected offices only) (3-6-4a)
- March 30 Deadline:** Notice of Appointment Mailed To Election Officials (Within 7 days following appointment) (3-1-30)
- March 30 Deadline:** Delivery of Absentee Ballots to Clerk (3-3-11 3-4-10 3-5-13 3-4-12)
- Mar. 30 - May 5:** Mail Absentee Ballots (May 6 for applications received May 5, 2010) (3-3-5; 3-4-12)
- Mar. 31 - Apr. 12:** Public Notice of Test for Automatic Tabulating Equipment for Early Voting (approx.) (3-4-26 59-3-1 et. seq.)
- April 6:** Election Officials Notify Clerk of Acceptance (Within fourteen days of date of appointment) (3-1-30)
- Apr. 12 - May 4:** Instructional Program for Election Officials (approx.) (3-1-46; 3-4-13 3-4-14)

- April 13 Deadline:** Deliver Ballots To Clerk (3-1-21 3-4-12)
- April 13 (Approx):** Publish Notice of Inspection of AutoMark and ballots for Early Voting (3-4-13)
- April 14 Deadline:** Notification of Ballots and AutoMark Readiness for Early Voting (3-4-13)
- Apr. 15 - 21:** Publish Sample Ballot for Early Voting (3-5-10 59-3-1 et. seq.)
- April 16:** Public Inspection of Vote Recording Devices and ballots for Early Voting (3-4-13)
- Apr. 20 - May 2:** Public Notice of Time & Place for Test and Inspection of Automatic Tabulating Equipment (3-4-26 59-3-1 et. seq.)
- April 20 Deadline:** Voter Registration Deadline (3-2-4 3-2-7)
- Apr. 21 - May 8:** Early Voting in Person (3-3-1 3-3-3)
- Apr. 21 - 27:** Correct Incomplete Applications for Voter Registrations (3-2-4)
- Apr. 23 Deadline:** Accept Postcard Registrations by Mail Without Postmark (3-2-4)
- Apr. 26 - 30:** Pre-Primary Financial Reports Due (3-8-5 CSR 146-3-8)
- Apr. 26 - May 10:** Last Minute Independent Expenditures Reported (3-8-2)
- May 1:** Early Voting in Person conducted (3-3-3)
- May 3:** Public Notice of Inspection of AutoMark and Ballots for Election Day (3-4-13)
- May 4:** Public Test Automatic Tabulation Equipment for Election Day (3-4-26 59-3-1 et. seq.)
- May 4:** Notification of Ballots and AutoMark readiness for Election Day (3-4-13)
- May 4 - 10:** Publish Official List of Candidates (optional) or Sample Ballot for Election Day (3-5-10 59-3-1 et. seq.)
- May 4 - 10:** Instructional Program Make-up Session (3-1-46 3-4-13 3-4-14)
- May 4 - 11:** Request Emergency Medical Absentee Ballot (Until Noon on Election Day) (3-3-1 3-3-5(d))
- May 5:** Deadline For Absentee by Mail Application (3-3-5)
- May 6:** Public Inspection of Vote Recording Devices and Ballots AutoMark for Election Day (3-4-13)
- May 8 Deadline:** Last day for Early Voting In Person (3-3-3)
- May 10 Deadline:** Deadline for Accepting Hand-Delivered Absentee Ballot (3-3-5)
- May 10 Deadline:** Election Commissioners Receive Election Supplies (3-1-24 3-4-12 3-4-13 3-5-14)
- May 10:** Failure To Pick Up Supplies, Delivery By Special Messenger (3-1-25 3-4-12a 3-4-13a)
- May 11: PRIMARY ELECTION DAY**  
Polls open 6:30 a.m. to 7:30 p.m. (3-1-21 3-5-1)
- May 11:** Post Precinct Returns (3-5-15)
- May 12:** Absentee Ballots without Postmark Accepted (3-3-5)
- May 13 Deadline:** Mail Precinct Returns to Secretary of State (3-5-15)
- May 14:** Absentee Ballots Postmarked by Election Day Accepted (Before Canvass Convenes) (3-3-5 3-5-17)
- May 14:** Canvass of Election Returns (3-5-17 3-4-9 3-4-10)
- May 24 - June 23:** Post-Primary Financial Report Filing Period (3-8-5 3-8-5a CSR 146-3-8)
- June 10 Deadline:** Transmit Certificates of Results (3-5-17 3-5-18)

### FILING FEES SCHEDULE

Most filing fees are based on the salary of office. If the salary changes before the official filing period begins, the filing fee will change.

#### FEDERAL

U.S. House of Representatives ..... \$1,693

#### STATE

State Senate ..... \$150

House of Delegates ..... \$75

#### COUNTY OFFICES

Filing fees for county offices (except Surveyor and Board of Education) are 1% of salary.

County Clerk ..... \$422.40 - \$554.40

Circuit Clerk ..... \$422.40 - \$554.40

County Commission ..... \$198.00 - \$369.60

Board of Education ..... \$25

Conservation District Supervisor ..... \$10

#### OTHER OFFICES

Greater Huntington Park & Recreation District ..... \$10

#### \*COMPUTATION OF TIME

\*\*\*\*When the \*\*\* time fixed for \*\*\* doing any official act shall fall on any of said holidays (declared legal by statute), the ensuing day which is not a Saturday, Sunday or legal holiday shall be taken as meant and intended \*\*\*\*. (Code 2-2-1)

“The time or period prescribed or allowed within which an act is to be done shall be computed by excluding the first day and including the last; if the last be a Saturday, Sunday or legal holiday, it shall also be excluded \*\*\*\*.” (Code 2-2-3)

“When a proceeding is directed to take place or any act to be done on any particular day of the month or within any period of time prescribed or allowed \*\*\* if that day or the last day falls on a Saturday, Sunday or legal holiday, the next day which is not a Saturday, Sunday or legal holiday shall be deemed to be the one intended \*\*\*\*.” (Code 2-2-2)

Accordingly, in opinion of the Attorney General, where the last day upon which an act must, or may, be done falls upon a Sunday, the Monday following should be considered as the last day upon which the act can be done. See Reports and Opinion of the Attorney General, 1941 - 1942, page 216.

“In a statute the word “month” shall mean a calendar month \*\*\*\*.” (Code 2-2-4)

# CASTO & HARRIS, Inc.

PRINTED IN WEST VIRGINIA BY WEST VIRGINIANS

See Reverse side for General

# 2010 WEST VIRGINIA ELECTION CALENDAR

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## GENERAL ELECTION NOVEMBER 2

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| <ul style="list-style-type: none"><li><input type="checkbox"/> <b>July 2 Deadline: Notice of Precinct Change</b> (3-1-7 3-5-23 3-5-24 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>July 30 Deadline: Minor Party or Independent Candidates File Nominating Petitions, Certificates of Announcement, Pay Filing Fee</b> (3-5-23)</li><li><input type="checkbox"/> <b>Aug. 2 - 17: Special Filing Period, Board of Education, Vacancy Occurring After Close of Filing for Primary</b> (3-5-19(c))</li><li><input type="checkbox"/> <b>Aug. 4 Deadline: Adopt Medical Emergency Absentee Voting Policy</b> (3-3-5(c)(ii))</li><li><input type="checkbox"/> <b>Aug. 4 Deadline: Notice of Emergency Precinct Change</b> (3-1-7)</li><li><input type="checkbox"/> <b>Aug. 4 Deadline: Deadline for Ordering Precinct Change</b> (3-1-7)</li><li><input type="checkbox"/> <b>Aug. 4 Deadline: Petition for Suspension of Election Official</b> (3-1-28)</li><li><input type="checkbox"/> <b>Aug. 10 - Oct. 27: Application for Absentee Ballot by Mail by All Eligible Voters</b> (3-3-1 3-3-5)</li><li><input type="checkbox"/> <b>Aug. 10 Deadline: Notice of Number of Election Officials and Emergency Absentee Voting Commissioners</b> (3-1-29 3-3-5)</li><li><input type="checkbox"/> <b>Aug. 10 Deadline: Ballot Vacancy for Specific Causes and Action Needed</b> (3-5-19(a)(4))</li><li><input type="checkbox"/> <b>Aug. 10: Last Day to Apply for Withdrawal for Extenuating Circumstances</b> (3-5-19(a)(6))</li><li><input type="checkbox"/> <b>Aug. 16 Deadline: Executive Committee or Chair Appointment to Fill Vacancy</b> (3-5-19 3-10-1 et. seq.)</li><li><input type="checkbox"/> <b>Aug. 18 Deadline: Executive Committee Chair Appointment to Fill Vacancy</b> (3-5-19 3-10-1 et. seq.)</li><li><input type="checkbox"/> <b>Aug. 18 - 24: Secretary of State Certifies Names</b> (3-5-18 3-5-19 3-4-2)</li><li><input type="checkbox"/> <b>Aug. 23 (Approx): Candidate Name Removed from Ballot Due to Death if Family Requests</b> (3-5-11 3-4-2)</li><li><input type="checkbox"/> <b>Aug. 24: Drawing for Order On Ballot. Drawing to be held at 9:00 a.m.</b> (3-4-2)</li><li><input type="checkbox"/> <b>Aug. 24 Deadline: Estimate Number of Absentee Ballots</b> (3-3-11)</li><li><input type="checkbox"/> <b>Aug. 24: Election Official Nominations Filed</b> (3-1-30)</li><li><input type="checkbox"/> <b>Sept. 3 Deadline: Emergency Precinct Change Order</b> (3-1-7 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Sept. 7: Notice of Number of Sets of Emergency Absentee Voting Commissioners Needed</b> (3-3-5(b))</li><li><input type="checkbox"/> <b>Sept. 8 Deadline: Complete Corrections of Voter Registration</b> (3-1-24 3-2-18(j) 3-2-21)</li><li><input type="checkbox"/> <b>Sept. 14 - Nov. 2: County Clerks Fill Vacancies of Election Officials</b> (3-1-30)</li><li><input type="checkbox"/> <b>Sept. 14 Deadline: Election Officials &amp; Alternates Appointed</b> (3-1-30 3-3-5c 3-4-13 3-4A-14)</li><li><input type="checkbox"/> <b>Sept. 20 - 24: First General Financial Report</b> (3-4-2 3-4-5 3-4-5a 3-4-5c 3-4-5e CSR 146-3-8)</li><li><input type="checkbox"/> <b>Sept. 21 Deadline: Delivery of Absentee Ballots to Clerk</b> (3-3-11)</li><li><input type="checkbox"/> <b>Sept. 21: Write-In Filing Deadline</b> (3-4-4a)</li><li><input type="checkbox"/> <b>Sept. 21 - Oct. 27: Mail Absentee Ballots (October 28 for Applications received October 27)</b> (3-3-5 3-4A-21)</li><li><input type="checkbox"/> <b>Sept. 21 Deadline: Notice of Appointment Mailed to Election Officials (Within 7 days following appointment)</b> (3-1-30)</li><li><input type="checkbox"/> <b>Sept. 22 - Oct. 4: Public Notice of Test for Automatic Tabulating Equipment for Early Voting</b> (3-4A-26 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Sept. 28: Election Officials Notify Clerk of Acceptance within 14 days of Appointment</b> (3-1-30)</li><li><input type="checkbox"/> <b>Oct. 4 - 26: Instructional Program For Election Officials</b> (3-1-46 3-4-13 3-4A-14)</li><li><input type="checkbox"/> <b>Oct. 5 (Approx): Public Notice of Inspection of AutoMark for Early Voting</b> (3-4A-13 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Oct. 5 Deadline: Ballots Delivered to Clerk</b> (3-1-21 3-4-10 3-4A-12)</li><li><input type="checkbox"/> <b>Oct. 6: Public Test for Electronic Tabulating Equipment for Early Voting</b> (3-4A-26 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Oct. 6 Deadline: Notification of Ballots and AutoMark Readiness for Early Voting</b> (3-4A-13)</li><li><input type="checkbox"/> <b>Oct. 7 - 13: Publish Sample Ballot</b> (3-4-3 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Oct. 8 Deadline: Last Day for Vacancy Caused by Death of Candidate can be filled by Appointment</b> (3-5-19)</li><li><input type="checkbox"/> <b>Oct. 8: Inspect Electronic Voting Devices for Early Voting</b> (3-4A-13)</li><li><input type="checkbox"/> <b>Oct. 12 - 22: Public Notice of Test of Automatic Tabulating Equipment</b> (3-4A-26 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Oct. 12: Committee May Fill Vacancy of Deceased Candidate</b> (3-5-19)(a)(2))</li></ul> | <ul style="list-style-type: none"><li><input type="checkbox"/> <b>Oct. 12 Deadline: Voter Registration Deadline</b> (3-2-6 3-2-7)</li><li><input type="checkbox"/> <b>Oct. 12 - 28: Write-In Filing Deadline in Case of Death or Disqualification of Candidate</b> (3-4-4a)</li><li><input type="checkbox"/> <b>Oct. 13 - 18: Correct Incomplete Voter Registration Applications</b> (3-2-4)</li><li><input type="checkbox"/> <b>Oct. 13 - 30: Regular Early Voting in Person</b> (3-3-1 3-3-3 3-3-3a)</li><li><input type="checkbox"/> <b>Oct. 15: Accept Postcard Registrations by Mail without Postmark</b> (3-2-4)</li><li><input type="checkbox"/> <b>Oct. 18 - Nov. 1: "Last Minute" Independent Expenditures Reported</b> (3-8-2)</li><li><input type="checkbox"/> <b>Oct. 18 - Oct. 22: Pre-General Election Financial Report</b> (3-4-5 3-4-5a CSR 146-3-8)</li><li><input type="checkbox"/> <b>Oct. 23: Early Voting in Person Conducted on Saturday Prior to the General Election</b> (3-3-3)</li><li><input type="checkbox"/> <b>Oct. 25: Publish Notice of AutoMark Inspection for Election Day</b> (3-4A-13)</li><li><input type="checkbox"/> <b>Oct. 26 - Nov. 1: Instructional Program Make-Up Session</b> (3-1-46)</li><li><input type="checkbox"/> <b>Oct. 26: Notification of Ballots and AutoMark Readiness for Election Day</b> (3-4A-13)</li><li><input type="checkbox"/> <b>Oct. 26 - Nov. 1: Publish Official List of Candidates or Sample Ballot (optional)</b> (3-4-3 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Oct. 26: Public Test Electronic Tabulation Equipment for Election Day</b> (3-4A-26 59-3-1 et. seq.)</li><li><input type="checkbox"/> <b>Oct. 26 - Nov. 2: Request Emergency Medical Absentee Ballot (Until Noon on Election Day)</b> (3-3-1 3-3-5(c))</li><li><input type="checkbox"/> <b>Oct. 27 Deadline: Absentee Ballot by Mail Application</b> (3-3-5)</li><li><input type="checkbox"/> <b>Oct. 28: Public Inspection of Vote Recording Devices and Ballots AutoMark for Election Day</b> (3-4A-13)</li><li><input type="checkbox"/> <b>Oct. 30 Deadline: Last Day for Early Voting in Person</b> (3-3-3)</li><li><input type="checkbox"/> <b>Nov. 1 Deadline: Hand-Deliver Absentee Ballots to the Clerk's Office</b> (3-3-5)</li><li><input type="checkbox"/> <b>Nov. 1 Deadline: Election Commissioners Receive Election Supplies</b> (3-1-24 3-4-12 3-4A-13 3-5-14)</li><li><input type="checkbox"/> <b>Nov. 1 Deadline: Failure To Pick Up Supplies, Delivery by Special Messenger</b> (3-1-25 3-4-12a 3-4A-13a)</li><li><input type="checkbox"/> <b>Nov. 2: GENERAL ELECTION DAY Polls open 6:30 a.m. to 7:30 p.m.</b> (3-1-31)</li><li><input type="checkbox"/> <b>Nov. 2: Post Precinct Returns</b> (3-4-8)</li><li><input type="checkbox"/> <b>Nov. 3: Absentee Ballots without Postmark Accepted</b> (3-3-5)</li><li><input type="checkbox"/> <b>Nov. 3: Cancellation of Registration of Voters Made Inactive on February 1, 2006</b> (3-2-27)</li><li><input type="checkbox"/> <b>Nov. 4 Deadline: Mail Precinct Returns to Secretary of State</b> (3-5-15 3-4-8)</li><li><input type="checkbox"/> <b>Nov. 8: Absentee Ballots Postmarked by Election Day Accepted (Before Canvass Convenes)</b> (3-3-5)</li><li><input type="checkbox"/> <b>Nov. 8: Canvass of Election Returns</b> (3-4-9 3-4-10)</li><li><input type="checkbox"/> <b>Nov. 15 - Dec. 15: Post-General Financial Report Filing Period</b> (3-4-5 3-4-5a CSR 146-3-8)</li><li><input type="checkbox"/> <b>Dec. 2: Transmit Certificates of Results to Secretary of State</b> (3-4-11)</li><li><input type="checkbox"/> <b>Jan. 1*: Prosecutors Notified of Candidates and Committees Failing to File Financial Reports or Filing Late</b> (3-4-7)</li><li><input type="checkbox"/> <b>Mar. 26 - Apr. 1: Annual Financial Statements Filing Period</b> (3-4-5 CSR 146-3-8)</li></ul> |
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- \*COMPUTATION OF TIME**  
\*\*\*\*When the \*\*\* time fixed for \*\*\* doing any official act shall fall on any of said holidays (declared legal by statute), the ensuing day which is not a Saturday, Sunday or legal holiday shall be taken as meant and intended \*\*\*." (Code 2-2-1)  
"The time or period prescribed or allowed within which an act is to be done shall be computed by excluding the first day and including the last; if the last be a Saturday, Sunday or legal holiday, it shall also be excluded \*\*\*." (Code 2-2-3)  
"When a proceeding is directed to take place or any act to be done on any particular day of the month or within any period of time prescribed or allowed \*\*\* if that day or the last day falls on a Saturday, Sunday or legal holiday, the next day which is not a Saturday, Sunday or legal holiday shall be deemed to be the one intended \*\*\*." (Code 2-2-2)  
Accordingly, in opinion of the Attorney General, where the last day upon which an act must, or may, be done falls upon a Sunday, the Monday following should be considered as the last day upon which the act can be done. See Reports and Opinion of the Attorney General, 1941 - 1942, page 216.  
"In a statute the word "month" shall mean a calendar month \*\*\*." (Code 2-2-4)

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