

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Joint Resolution 9

By Senators Rucker, Rose, Thorne, Grady, Hart,
Chapman, Smith (Mr. President), Roberts, Tarr,
Taylor, Clements, Barnhart, and M. Maynard

[Reported February 26, 2026, from the Committee on
the Judiciary]

Proposing an amendment to the Constitution of the State of West Virginia, amending section one, article IV thereof, relating to the right to vote in elections held in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2026, which proposed amendment is that section one, article IV thereof, be amended to read as follows:

ARTICLE IV. ELECTIONS AND OFFICERS.

§1. Elections and Officers.

Only citizens of the state who are citizens of the United States ~~shall be~~ are entitled to vote at all elections held within the counties in which they respectively reside; but ~~no~~ a person who is a minor, or who has been declared mentally incompetent by a court of competent jurisdiction, or who is under conviction of treason, felony, or bribery in an election, or who has not been a resident of the state and of the county in which he or she offers to vote, for ~~thirty~~ 30 days next preceding such offer, ~~shall be permitted to~~ may not vote while such disability continues; but ~~no~~ a person in the military, naval, or marine service of the United States shall ~~be deemed~~ not be considered a resident of this state by reason of being stationed ~~therein~~ in this state.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Citizenship Requirement to Vote in West Virginia Elections Amendment" and the purpose of the proposed amendment is summarized as follows: "This amendment provides that in all elections held in West Virginia only citizens of this state who are citizens of the United States are qualified to vote."