



Written Testimony of Jason Snead
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HB 4600 | West Virginia House Subcommittee on Legal Services
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My name is Jason Snead, Executive Director of Honest Elections Project Action, a nonprofit entity dedicated to defending the right of every American to vote in free and honest elections.

HB 4600 is a straightforward and necessary update to this state's election laws. It shifts West Virginia away from the current postmark standard for advance voting ballots to an unambiguous rule that every ballot must be received by the close of polls on Election Day to count.

Adopting this legislation will promote integrity and public confidence in elections. By requiring that advance mail ballots be received by the close of polls, HB 4600 will speed vote tabulation and ensure the delivery of timely and accurate results. Shifting to an objective Election Day receipt standard also avoids messy post-election litigation. In states with postmark standards, these lawsuits often revolve around efforts to count late ballots that arrive without a postmark, and thus no guarantee they were not fraudulently cast after the election. Few situations do as much to sap public trust as prolonged vote counting or litigation aimed at affecting election results by counting otherwise illegal votes. This bill's provisions make both situations less likely.

Moreover, passing HB 4600 would align West Virginia law with the policy currently in effect in the majority of states. According to the [National Conference of State Legislatures](#), over 30 states require ballots to be received on or before Election Day. This includes 'blue' states like Delaware and 'red' states like Florida. Of West Virginia's neighboring states, Ohio and Kentucky all require ballots be received by Election Day. Furthermore, polling shows the public strongly favors these laws. In fact, [polling](#) conducted by the Honest Elections Project shows that 89% of Americans believe that ballots should be received by Election Day.

By clearly defining the deadline to receive a mail-in ballot, HB 4600 makes it easier for voters to plan ahead. Ensuring that a mail ballot is received by Election Day is a simple requirement to meet, and as I mentioned previously, is a requirement that is overwhelmingly embraced by the voting public.

This year alone, lawmakers in Kansas, North Dakota, Ohio, and Utah have all acted to set their states' mail ballot deadlines at Election Day. I urge you join these states and align West Virginia with the clear national standard that all ballots should be received by Election Day.