

H. B. 2265

(By Delegate Cowles)

[Introduced January 23, 2015; referred to the
Committee on Political Subdivisions then the Judiciary.]

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10 A BILL to amend and reenact §7-2-2 of the Code of West Virginia, 1931, as amended, relating to
11 increasing the minimum number of magisterial districts in a county from three to four.

12 *Be it enacted by the Legislature of West Virginia:*

13 That §7-2-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted to
14 read as follows:

15 **ARTICLE 2. COUNTY AND DISTRICT BOUNDARIES; CHANGE OF COUNTY SEAT**
16 **AND NAMES OF UNINCORPORATED TOWNS AND OF DISTRICTS.**

17 **§7-2-2. Magisterial districts; boundary lines.**

18 Each county shall be laid off by the county ~~court~~ commission into magisterial districts, not
19 less than ~~three~~ four nor more than ten in number, and as nearly equal as may be in territory and
20 population. The districts as they now exist shall remain until changed by the county ~~court~~
21 commission. The county ~~court~~ commission may, from time to time, increase or diminish the number
22 of ~~such~~ the districts, and change the boundary lines ~~thereof~~ of the districts as necessity may require,
23 in order to conform ~~the same~~ them to the provisions of the constitution of the state.

24 Whenever the county ~~court shall deem~~ commission finds it advisable to change the boundary

1 line between two or more districts, or to establish a new district out of another or two or more
2 districts, or to consolidate two or more existing districts into one, it may make ~~such~~ the change,
3 establishment or consolidation, by an order entered of record. And if a survey ~~be deemed~~ is
4 necessary, it may employ the surveyor of lands for the county, or any other competent surveyor, who
5 shall survey and make a plat of the several districts as ~~the same~~ they are ~~thus~~ altered, on which the
6 new lines shall be plainly delineated, noting particularly ~~such~~ the places of notoriety or prominent
7 objects through or by which ~~such~~ the lines pass, and return ~~such~~ the plat and description to the ~~court~~
8 ~~and the same~~ county commission. The plat shall be filed in the ~~clerk's office of such court~~ clerk of
9 the county commission's office and recorded by the clerk. But before ~~such~~ the districts ~~shall~~ may
10 be increased or diminished, or the boundary lines ~~thereof~~ changed, the ~~court~~ county commission shall
11 cause a notice of its intention to do so to be posted on the front door of the courthouse of the county,
12 and at some public place in each district affected thereby, for at least thirty days prior to the term of
13 ~~court~~ the commission at which ~~such~~ the action is proposed to be taken.

NOTE: The purpose of this bill is to increase the minimum number of magisterial districts in a county from three to four.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.