

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **Senate Bill 261**

BY SENATOR TRUMP

[Introduced January 11, 2019; Referred  
to the Committee on the Judiciary; and then to the  
Committee on Finance]

1 A BILL to amend and reenact §50-1-2 of the Code of West Virginia, 1931, as amended, relating  
2 to the number of magistrates to be seated in each county of the state and their election.

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

**ARTICLE 1. COURTS AND OFFICERS.**

**§50-1-2. Number of magistrates.**

1 (a) The number of magistrates to be seated in each county of this state shall be determined  
2 in accordance with the provisions of this section.

3 (b) Any magistrate in office on the effective date of this section shall remain in office until  
4 the expiration of the term for which he or she was elected or appointed. Vacancies in office for  
5 magistrates elected in 2016 shall be filled pursuant to the provisions of §50-1-6 of this code for  
6 the remainder of their term.

7 (c) Beginning on January 1, 2021:

8 (1) Barbour County shall sit two magistrates.

9 (2) Berkeley County shall sit six magistrates, except that beginning on January 1, 2025,  
10 Berkeley County shall sit seven magistrates.

11 (3) Boone County shall sit two magistrates.

12 (4) Braxton County shall sit two magistrates.

13 (5) Brooke County shall sit two magistrates.

14 (6) Cabell County shall sit seven magistrates.

15 (7) Calhoun County shall sit two magistrates.

16 (8) Clay County shall sit two magistrates.

17 (9) Doddridge County shall sit two magistrates.

18 (10) Fayette County shall sit three magistrates.

19 (11) Gilmer County shall sit two magistrates.

20 (12) Grant County shall sit two magistrates.

21 (13) Greenbrier County shall sit two magistrates.

- 22           (14) Hampshire County shall sit two magistrates.
- 23           (15) Hancock County shall sit two magistrates.
- 24           (16) Hardy County shall sit two magistrates.
- 25           (17) Harrison County shall sit four magistrates.
- 26           (18) Jackson County shall sit two magistrates.
- 27           (19) Jefferson County shall sit four magistrates.
- 28           (20) Kanawha County shall sit eleven magistrates.
- 29           (21) Lewis County shall sit two magistrates.
- 30           (22) Lincoln County shall sit two magistrates.
- 31           (23) Logan County shall sit three magistrates.
- 32           (24) Marion County shall sit three magistrates.
- 33           (25) Marshall County shall sit two magistrates.
- 34           (26) Mason County shall sit two magistrates.
- 35           (27) McDowell County shall sit two magistrates.
- 36           (28) Mercer County shall sit five magistrates.
- 37           (29) Mineral County shall sit two magistrates.
- 38           (30) Mingo County shall sit two magistrates.
- 39           (31) Monongalia County shall sit five magistrates.
- 40           (32) Monroe County shall sit two magistrates.
- 41           (33) Morgan County shall sit two magistrates.
- 42           (34) Nicholas County shall sit two magistrates.
- 43           (35) Ohio County shall sit three magistrates.
- 44           (36) Pendleton County shall sit two magistrates.
- 45           (37) Pleasants County shall sit two magistrates.
- 46           (38) Pocahontas County shall sit two magistrates.
- 47           (39) Preston County shall sit two magistrates.

- 48           (40) Putnam County shall two magistrates.
- 49           (41) Raleigh County shall sit six magistrates.
- 50           (42) Randolph County shall sit two magistrates.
- 51           (43) Ritchie County shall sit two magistrates.
- 52           (44) Roane County shall sit two magistrates.
- 53           (45) Summers County shall sit two magistrates.
- 54           (46) Taylor County shall sit two magistrates.
- 55           (47) Tucker County shall sit two magistrates.
- 56           (48) Tyler County shall sit two magistrates.
- 57           (49) Upshur County shall sit two magistrates.
- 58           (50) Wayne County shall sit two magistrates.
- 59           (51) Webster County shall sit two magistrates.
- 60           (52) Wetzel County shall sit two magistrates.
- 61           (53) Wirt County shall sit two magistrates.
- 62           (54) Wood County shall sit four magistrates.
- 63           (55) Wyoming County shall sit two magistrates.
- 64           (d) Magistrates whose terms commence on January 1, 2021, or every fourth year after
- 65 that, shall be elected during the regularly scheduled election or elections taking place in 2020, or
- 66 every fourth year after that.

NOTE: The purpose of this bill is to codify the number of magistrates serving in the state and within each county following the 2020 election cycle.

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

This section has been completely rewritten; therefore, it has been completely underscored.