

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2091

FISCAL
NOTE

BY DELEGATE COWLES

[Introduced January 9, 2019; Referred
to the Committee on Political Subdivisions then the
Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

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

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

1 Each county shall be laid off by the county ~~court~~ commission into magisterial districts, not
 2 less than ~~three~~ four nor more than 10 in number, and as nearly equal as may be in territory and
 3 population. The districts as they now exist shall remain until changed by the county ~~court~~
 4 commission. The county ~~court~~ commission may, from time to time, increase or diminish the
 5 number of ~~such~~ the districts, and change the boundary lines ~~thereof~~ of the districts as necessity
 6 may require, in order to conform ~~the same~~ them to the provisions of the Constitution of the State.

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

20 thereby, for at least 30 days prior to the term of ~~court~~ the commission at which ~~such~~ this action is
21 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 a heading or the present law and underscoring indicates new language that would be added.