

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2549

By Delegates Funkhouser, Ridenour, and Linville

[Introduced February 18, 2025; referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §3-1-17 of the Code of West Virginia, 1931, as amended, relating to
2 increasing the term of office of sheriff from four years to six years.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-17. Election of circuit judges; county and district officers; magistrates.

1 (a) There shall be elected, at the time of the primary election to be held in 2016, and every
2 eighth year thereafter, one judge of the circuit court of every judicial circuit entitled to one judge,
3 and one judge for each numbered division of the judicial circuit in those judicial circuits entitled to
4 two or more circuit judges; and at the time of the primary election to be held in 2016, and in every
5 fourth year thereafter, the number of magistrates prescribed by law for the county. Beginning with
6 the election held in the year 2016, an election for the purpose of electing judges of the circuit court,
7 or an election for the purpose of electing magistrates, shall be upon a nonpartisan ballot printed for
8 the purpose.

9 (b) There shall be elected, at the general election to be held in 1992, and every fourth year
10 thereafter, a sheriff, prosecuting attorney, surveyor of lands, and the number of assessors
11 prescribed by law for the county; and at the general election to be held in 1990, and every second
12 year thereafter, a commissioner of the county commission for each county; and at the general
13 election to be held in 1992, and every sixth year thereafter, a clerk of the county commission and a
14 clerk of the circuit court for each county: Provided, That there shall be elected at the general
15 election to be held in 2028, and every sixth year thereafter, a sheriff.

16 (c) Effective with the primary election of 2016, all elections for judge of the circuit courts in
17 the respective circuits and magistrates in each county will be elected on a nonpartisan basis and
18 by division as set forth more fully in article five of this chapter.

19 (d) Beginning with the judicial election in 2024, and in every judicial election thereafter, if no
20 candidate in a division for judge of a circuit court receives more than 30 percent of the votes cast in
21 the election, there shall be a runoff election at the subsequent general election between the two

- 22 candidates who received the highest and next-highest number of votes cast in that division.

NOTE: The purpose of this bill is to increase the term of office of sheriff from four years to six years.

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