

H. B. 2093

(By Delegate Cowles)

[Introduced January 12, 2011; referred to the Committee on Political Subdivisions then the Judiciary.]

**FISCAL  
NOTE**

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

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

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

**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.**

Each county shall be laid off by the county court into magisterial districts, not less than ~~three~~ four nor more than ten in number, and as nearly equal as may be in territory and population. The districts as they now exist shall remain until changed by the county court. The county court may, from time to

1 time, increase or diminish the number of such districts, and change  
2 the boundary lines thereof as necessity may require, in order to  
3 conform the same to the provisions of the Constitution of the  
4 state.

5       Whenever the county court shall deem it advisable to change  
6 the boundary line between two or more districts, or to establish a  
7 new district out of another or two or more districts, or to  
8 consolidate two or more existing districts into one, it may make  
9 such change, establishment or consolidation, by an order entered of  
10 record. And if a survey be deemed necessary, it may employ the  
11 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  
13 same are thus altered, on which the new lines shall be plainly  
14 delineated, noting particularly such places of notoriety or  
15 prominent objects through or by which such lines pass, and return  
16 such plat and description to the court; and the same shall be filed  
17 in the clerk's office of such court and recorded by the clerk. But  
18 before such districts shall be increased or diminished, or the  
19 boundary lines thereof changed, the court shall cause a notice of  
20 its intention to do so to be posted on the front door of the  
21 courthouse of the county, and at some public place in each district  
22 affected thereby, for at least thirty days prior to the term of  
23 court at which such 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.