

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 2265**

**2015 Carryover**

(BY DELEGATE COWLES)

[Introduced January 13, 2016; 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:*

1 That §7-2-2 of the Code of West Virginia, 1931, as amended, be amended and  
2 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.**

1 Each county shall be laid off by the county ~~court~~ commission into magisterial districts, not  
2 less than ~~three~~ four nor more than ten 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~~  
11 ~~deemed~~ is necessary, it may employ the surveyor of lands for the county, or any other competent  
12 surveyor, who shall survey and make a plat of the several districts as ~~the same~~ they are ~~thus~~  
13 altered, on which the new lines shall be plainly delineated, noting particularly ~~such~~ the places of  
14 notoriety or prominent objects through or by which ~~such~~ the lines pass, and return ~~such~~ the plat  
15 and description to the ~~court and the same~~ county commission. The plat shall be filed in the  
16 ~~clerk's office of such court~~ clerk of the county commission's office and recorded by the clerk. But

17 before ~~such~~ the districts ~~shall~~ may be 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 thirty days prior to the term of ~~court~~ the commission at which ~~such~~ the action  
21 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.