

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 573

BY SENATOR BLAIR

[Introduced February 10, 2016;

Referred to the Committee on Government Organization.]

1 A BILL to amend and reenact §8-6-1 of the Code of West Virginia, 1931, as amended, relating to
2 prohibiting municipal annexation which would result in an unincorporated territory entirely
3 surrounded by the municipality.

Be it enacted by the Legislature of West Virginia:

1 That §8-6-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 6. ANNEXATION.

PART I. GENERAL.

§8-6-1. Annexation of unincorporated territory.

1 (a) Unincorporated territory may be annexed to, and become part of, a municipality
2 contiguous thereto only in accordance with the provisions of this article.

3 (b) Any farmlands or operations as described in article nineteen, chapter nineteen of this
4 code which may be annexed into a municipality shall be protected in the continuation of
5 agricultural use after being annexed.

6 (c) Any new imposition of a tax or any increase in the rate of tax upon any business,
7 occupation or privilege following annexation shall be applied in accordance with the provisions of
8 section five, article thirteen, chapter eight of this code.

9 (d) Annexation is not permitted if it would result in having an unincorporated territory
10 entirely surrounded by the annexing municipality.

NOTE: The purpose of this bill is to prohibit municipal annexation which would result in an unincorporated territory entirely surrounded by the municipality.

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