

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2731**

BY DELEGATES SHOTT, R. MILLER,

KESSINGER, LANE AND BYRD

(BY REQUEST OF THE WEST VIRGINIA SUPREME COURT OF APPEALS)

[Passed April 8, 2017; in effect ninety days from passage.]



1 AN ACT to amend and reenact §51-2-2 of the code of West Virginia, 1931, as amended, relating  
2 to clarifying that only civil actions with controversial amounts exceeding \$7,500 must be  
3 heard in circuit court, except in actions relating to real estate installment sales contracts  
4 or actions confined exclusively by the Constitution to some other tribunal.

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

1 That §51-2-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
2 to read as follows:

**ARTICLE 2. CIRCUIT COURTS; CIRCUIT JUDGES.**

**§51-2-2. Jurisdiction.**

1 (a) The circuit court shall have supervision and control of all proceedings before  
2 magistrates, by mandamus, prohibition and certiorari.

3 (b) Except in cases confined exclusively by the Constitution to some other tribunal, the  
4 circuit court shall have original and general jurisdiction of all matters at law where the amount in  
5 controversy, excluding interest, exceeds \$7,500: *Provided*, That the jurisdictional limit on amounts  
6 in controversy does not apply to real estate installment sales contracts.

7 (c) The circuit court shall have original and general jurisdiction in all of the following  
8 matters:

9 (1) Habeas corpus;

10 (2) Mandamus;

11 (3) Quo warranto;

12 (4) Prohibition;

13 (5) Crimes; and

14 (6) Misdemeanors.

15 (d) The circuit court shall have original and general jurisdiction in all cases in equity,  
16 including jurisdiction in equity to remove any cloud on the title to real property, or any part of a  
17 cloud, or any estate, right or interest in the real property, and to determine questions of title with

18 respect to the real property without requiring allegations or proof of actual possession of the real  
19 property.

20 (e) The circuit court shall have appellate jurisdiction in all cases, civil and criminal, where  
21 an appeal, writ of error or supersedeas may be allowed to the judgment or proceedings of any  
22 inferior tribunal.

23 (f) The circuit court shall also have any other jurisdiction, whether supervisory, original,  
24 appellate or concurrent, as is or may be prescribed by law.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2017.

.....  
*Governor*