

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.]

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2017 APR 26 P 8:22

FILED

HB 2731

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.

Steve Kuyfert
Vice-Chairman, House Committee

Ramon R. Rojas Jr.
Member Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Steph J. Davis
Clerk of the House of Delegates

Clark S. Barner
Clerk of the Senate

Robert M. Bell
Speaker of the House of Delegates

Mark B. Canfield
President of the Senate

FILED
2017 APR 26 P 8:22
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The within *is approved* this the *26th*
day of *April* 2017.

Jim Justice
Governor

PRESENTED TO THE GOVERNOR

APR 21 2017

Time 1:53 PM