

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3151

BY DELEGATE BARRETT

[Introduced March 15, 2021; Referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §7-2-2 of the Code of West Virginia, 1931, as amended, relating to
2 phasing out magisterial districts by the year 2024.

Be it enacted by the Legislature of West Virginia:

**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; termination.

1 (a) Each county shall be laid off by the county court into magisterial districts, not less than
2 three nor more than ten in number, and as nearly equal as may be in territory and population. The
3 districts as they now exist shall remain until changed by the county court. The county court may,
4 from time to time, increase or diminish the number of such districts, and change the boundary
5 lines thereof as necessity may require, in order to conform the same to the provisions of the
6 Constitution of the State.

7 Whenever the county court shall deem it advisable to change the boundary line between
8 two or more districts, or to establish a new district out of another or two or more districts, or to
9 consolidate two or more existing districts into one, it may make such change, establishment or
10 consolidation, by an order entered of record. And if a survey be deemed necessary, it may employ
11 the surveyor of lands for the county, or any other competent surveyor, who shall survey and make
12 a plat of the several districts as the same are thus altered, on which the new lines shall be plainly
13 delineated, noting particularly such places of notoriety or prominent objects through or by which
14 such lines pass, and return such plat and description to the court; and the same shall be filed in
15 the clerk's office of such court and recorded by the clerk. But before such districts shall be
16 increased or diminished, or the boundary lines thereof changed, the court shall cause a notice of
17 its intention to do so to be posted on the front door of the courthouse of the county, and at some
18 public place in each district affected thereby, for at least 30 days prior to the term of court at which
19 such action is proposed to be taken.

20 (b) All magisterial districts shall be phased out by January 1, 2024, and this section shall
21 no longer be effective after that date.

NOTE: The purpose of this bill is to phase out magisterial districts after the year 2024.

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