

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 144

(By Mr. McKinnon and Mrs. Floyd)

PASSED February 16, 1967

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-2-67

#144

ENROLLED

Senate Bill No. 144

(By MR. MCKOWN and MR. FLOYD)

[Passed February 18, 1967; in effect from passage.]

AN ACT to amend and reenact sections one and one-x, article two, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article two by adding thereto two new sections, designated sections one-dd and one-ee, respectively, relating to the judicial circuits, the election of the judges thereof, the creation of separate judicial circuits for the counties of Wayne and Mingo, and the terms of court for the circuit courts of the counties of Wayne and Mingo, constituting the counties of Berkeley, Jefferson and Morgan as the thirty-first judicial circuit in addition to being the twenty-third judicial circuit, establishing terms

of court for the thirty-first judicial circuit, and providing a severability clause.

Be it enacted by the Legislature of West Virginia:

That sections one and one-x, article two, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article two be further amended by adding thereto two new sections, designated sections one-dd and one-ee, all to read as follows:

ARTICLE 2. CIRCUIT COURTS; CIRCUIT, CRIMINAL AND INTERMEDIATE JUDGES.

§51-2-1. Judicial circuits; election and terms of judges; terms of court.

The state shall be divided into judicial circuits as follows: The counties of Brooke, Hancock and Ohio shall constitute the first circuit; the counties of Marshall, Tyler and Wetzel shall constitute the second circuit; the counties of Doddridge, Pleasants and Ritchie shall constitute the third circuit; the counties of Wood and Wirt shall constitute the fourth circuit; the counties of Calhoun, Jackson and Roane shall constitute the fifth circuit; the

9 county of Cabell shall constitute the sixth circuit; the
10 county of Logan shall constitute the seventh circuit; the
11 county of McDowell shall constitute the eighth circuit;
12 the county of Mercer shall constitute the ninth circuit;
13 the county of Raleigh shall constitute the tenth circuit;
14 the counties of Greenbrier, Monroe, Pocahontas and Sum-
15 mers shall constitute the eleventh circuit; the county of
16 Fayette shall constitute the twelfth circuit; the county
17 of Kanawha shall constitute the thirteenth circuit; the
18 counties of Braxton, Clay, Gilmer and Webster shall con-
19 stitute the fourteenth circuit; the county of Harrison
20 shall constitute the fifteenth circuit; the county of Marion
21 shall constitute the sixteenth circuit; the county of Mo-
22 nongalia shall constitute the seventeenth circuit; the
23 county of Preston shall constitute the eighteenth circuit;
24 the counties of Barbour and Taylor shall constitute the
25 nineteenth circuit; the county of Randolph shall con-
26 stitute the twentieth circuit; the counties of Grant, Min-
27 eral and Tucker shall constitute the twenty-first circuit;
28 the counties of Hampshire, Hardy and Pendleton shall
29 constitute the twenty-second circuit; the counties of

30 Berkeley, Jefferson and Morgan shall constitute the
31 twenty-third circuit; the county of Wayne shall constitute
32 the twenty-fourth circuit; the counties of Lincoln and
33 Boone shall constitute the twenty-fifth circuit; the coun-
34 ties of Lewis and Upshur shall constitute the twenty-
35 sixth circuit; the county of Wyoming shall constitute the
36 twenty-seventh circuit; the county of Nicholas shall
37 constitute the twenty-eighth circuit; the counties of Ma-
38 son and Putnam shall constitute the twenty-ninth circuit;
39 and the county of Mingo shall constitute the thirtieth
40 circuit; the counties of Berkeley, Jefferson and Morgan
41 shall constitute the thirty-first circuit.

42 There shall be elected on the Tuesday next after the
43 first Monday in November, one thousand nine hundred
44 sixty-eight, and every eighth year thereafter, one judge in
45 each of the circuits herein constituted, except for the
46 first circuit there shall be two judges elected.

47 The terms of the several circuit judges of the counties
48 aforesaid shall commence and be held each year as here-
49 inafter provided.

§51-2-1x. Twenty-fourth circuit.

For the county of Wayne, on the first Monday in March,

2 July and November.

§51-2-1dd. Thirtieth circuit.

For the county of Mingo, on the first Monday in Janu-

2 ary, May and September.

§51-2-1ee. Thirty-first circuit.

For the county of Morgan, on the first Tuesday in Feb-

2 ruary, May and October.

3 For the county of Jefferson, on the third Tuesday in

4 February, May and October.

5 For the county of Berkeley, on the first Tuesday in

6 January, April and September.

7 This act, insofar as it relates to the rearrangement

8 of judicial circuits and terms of court therein, shall be-

9 come effective on January one, one thousand nine hun-

10 dred sixty-nine, but the provisions of this act relating

11 to the election of judges of the judicial circuits, as re-

12 arranged herein, shall become effective as of the date of

13 passage of this act.

14 If any provision of this act is held unconstitutional

15 or invalid, such unconstitutionality or invalidity shall
16 not affect other provisions of the act, and to this end each
17 and every provision of this act is declared to be severable.
18 The Legislature hereby declares that it would have en-
19 acted the remaining provisions of this act even if it had
20 known that any provisions thereof would be declared
21 to be unconstitutional or invalid.

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

William Tompos
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard K. Cannon
President of the Senate

H. L. Sabon White
Speaker House of Delegates

The within approved this the 2nd
day of March, 1967.

Hubert C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 2-24-67

Time 1:45 P.M.