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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. CIRCUIT COURTS; CIRCUIT JUDGES.

§51-2-2. Jurisdiction.

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

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

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

(1) Habeas corpus;

(2) Mandamus;

(3) Quo warranto;

(4) Prohibition;

(5) Crimes; and

(6) Misdemeanors.

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

Vice Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

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

Governor
PRESENTED TO THE GOVERNOR

APR 21 2017

Time 1:53 pm