

HB 4242

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4242

BY DELEGATE SHOTT AND HANSHAW

[Passed February 16, 2018; in effect ninety days from passage.]

FILED
2018 FEB 27 P 4 21
OFFICE WEST VIRGINIA
SECRETARY OF STATE

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FILED

1 AN ACT to amend and reenact §50-4-8 of the Code of West Virginia, 1931, as amended, relating
2 to clarifying the jurisdictional amount for removal of a civil action from magistrate court to
3 circuit court; and providing an exception for landlord-tenant actions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. PROCEDURE BEFORE TRIAL.

§50-4-8. Removal to circuit court.

1 At any time before trial in a civil action involving less than \$5,000 the action may be
2 removed to circuit court upon the concurrence of all parties and upon the payment of the circuit
3 court filing fee. At any time before trial in a civil action involving \$5,000 or more, any party may,
4 upon payment of the circuit court filing fee, cause such action to be removed to the circuit court:
5 *Provided*, That at any time before trial in any action for wrongful occupation or unlawful detainer
6 involving \$2,500 or more any party may, upon payment of the circuit court filing fee, cause such
7 action to be removed to circuit court. All appropriate documents shall then be forwarded along
8 with the fee to the clerk of the circuit court. The matter shall then be heard by the circuit court.

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

Ray Walker
.....
Chairman, House Committee

Mark W. Mangum
.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Steph D. Harris
.....
Clerk of the House of Delegates

Joe Linn
.....
Clerk of the Senate

Robert B. Latta
.....
Speaker of the House of Delegates

Walter B. Linn
.....
President of the Senate

FILED
2017 FEB 27 PM 4:21
OFFICE WEST VIRGINIA
SECRETARY OF STATE

The within *is approved* this the *27th*
day of *February* 2018.

Jim Justice
.....
Governor

PRESENTED TO THE GOVERNOR

FEB 23 2018

Time 10:47 am