

# WV STATE CODE REQUIREMENTS for VOTING DISTRICTS

Compiled by Kurt Donaldson 10/12/2021

Electoral Geography Rule	Description	WV Code
Census Blocks	<ul style="list-style-type: none"> <li>Census <b>Blocks</b> are the smallest level of geography of which the Census Bureau calculates data, which are needed to create the <b>Voting Precincts</b> or <b>Voting Districts</b> (VTD), which are needed to form the <b>Magisterial Districts</b> (or Minor Civil Divisions - MCD). Voting districts must also align with the geographic boundaries of <b>Incorporated Places</b> (municipalities) and <b>State Legislative Districts</b>.</li> </ul> <p style="margin-left: 40px;">                     Block – <b>VTD</b> – <b>MCD</b> – County – State (Minor Civil Divisions/Magisterial Districts)                      Block – <b>VTD</b> – <b>SLD</b> – State (State Legislative Districts)                      Block – <b>VTD</b> – <b>Place</b> – State (Incorporated Places/Municipalities)  <b>Block</b> – <b>Block Group</b> – <b>Tract</b> – County – State (Nongovernmental Statistical Entities)                 </p> <ul style="list-style-type: none"> <li>Census blocks change every decade.</li> <li>Census <a href="#">blocks</a> are statistical areas bounded by visible features such as roads, streams, and railroad tracks, and by nonvisible boundaries such as property lines and city limits.</li> <li>In cities, a census block may correspond to a city block, but in rural areas where there are fewer roads, blocks may be delimited by other features such as political boundaries, rivers and other natural features, as well as parks and similar facilities, etc. The population of a census block varies greatly.</li> <li>Census blocks form higher-level statistical geographies known as Block Groups and Tracts. Block Groups are generally defined to contain between 600 and 3,000 people, while Census Tracts generally have a population size between 1,200 and 8,000 people, with an optimum size of 4,000 people. Census Tracts are small, relatively permanent statistical subdivisions of a county.</li> </ul>	
Voting Precinct changes due to apportionment of representation	<ul style="list-style-type: none"> <li>Voting precincts must align with state senatorial and delegate districts.</li> <li>If an election precinct of this state includes territory contained in more than one senatorial or delegate district, as such senatorial districts are established by section one of this article and as such delegate districts are established by section two of this article, the county commission of the county in which the precinct is located shall, prior to January 21, 2012 [2022], alter the boundary lines of its election precincts so that no precinct contains territory included in more than one senatorial or delegate district.</li> </ul>	<a href="#">§1-2-2b</a>
Voting Precinct size based on number of Registered Voters	<ul style="list-style-type: none"> <li>Urban Precincts: 300-1500 registered voters</li> <li>Rural Precincts: 200-700 registered voters</li> <li>See exceptions in the WV Code §3-1-5(a)</li> </ul>	<a href="#">§3-1-5(a)</a>
Voting Precinct alignment with Census geography	<ul style="list-style-type: none"> <li>Precinct boundaries shall be comprised of intersecting geographic physical features [census blocks] or municipal boundaries [incorporated places] recognized by the U.S. Census Bureau. For purposes of this subsection, geographic physical features include streets, roads, streams, creeks, rivers, railroad tracks and mountain ridge lines.</li> <li>The U.S Census advises not using power lines, pipelines, or medians of double-lane roads or interstates for voting precinct / voting district (VTD) boundaries.</li> <li>Every county commission is responsible for submitting modified precinct boundaries to the State which in turn submits to the U.S. Census Bureau three years prior to the Decennial Census.</li> <li>The Census redistricting data program allows the states to use a nonpartisan liaison to provide on a voluntary basis input to both census blocks and voting districts.</li> </ul>	<a href="#">§3-1-5(c)</a>

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Voting Precinct Maps	<ul style="list-style-type: none"> <li>The county commission of any county may change the boundaries of any precinct within the county, or divide any precinct into two or more precincts, or consolidate two or more precincts into one, or change the location of any polling place whenever the public convenience may require it.</li> <li>The county commission shall keep available at all times during business hours in the courthouse at a place convenient for public inspection a map or maps of the county and municipalities with the current boundaries of all precincts.</li> </ul>	<a href="#">§3-1-5(d)</a>  <a href="#">§3-1-7</a>
Municipal Voting Precincts  Voting Precinct alignment with Incorporated Places	<ul style="list-style-type: none"> <li>In order to facilitate the conduct of local and special elections and the use of election registration records therein, precinct boundaries shall be established to coincide with the boundaries of any municipality of the county and with the wards or other geographical districts of the municipality except in instances where found by the county commission to be wholly impracticable so to do.</li> <li>Governing bodies of all municipalities shall provide accurate and current maps of their boundaries to the clerk of any county commission of a county in which any portion of the municipality is located.</li> <li>Incorporated places may cross county boundary lines but not state boundaries. There are eight incorporated places split across county boundary lines in West Virginia.</li> </ul>	<a href="#">§3-1-5(b)</a>  <a href="#">§3-1-6</a>
Magisterial Districts (Minor Civil Divisions)	<p>Each county shall be laid off by the county court into magisterial districts, not less than three nor more than ten in number, and as nearly equal as may be in territory and population. The districts as they now exist shall remain until changed by the county court.</p> <p>Historical: Tax Districts and Magisterial Districts. Historical magisterial districts that existed in 1973 that formed the tax district map boundaries. See 1970 Census Bureau map of <a href="#">Historical WV Magisterial Districts</a>.</p> <p>Current Listing: <a href="#">Listing of Magisterial Districts</a></p>	<a href="#">§7-2-2</a>  <a href="#">§7-2-7</a> <a href="#">§11-3-1A</a>
House Districts	House of Delegate districts shall be described from highest to lowest levels of geographic entities (county, voting district [precinct], census block)	<a href="#">§1-2-2</a>
Senatorial Districts	Senatorial districts shall be described from highest to lowest levels of geographic entities (county, voting district / precinct, census block)	<a href="#">§1-2-1</a>