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Senate Bill No. 232

(By Senator Stollings)

[Introduced January 21, 2011; referred to the Committee on
Government Organization; and then to the Committee on Finance.]

A BILL authorizing the county commission of Boone County to transfer its title and interests in the Boone Memorial Hospital, also known as the Boone County Memorial Hospital, to the Boone Memorial Hospital, Incorporated, a West Virginia private, nonprofit corporation for the continued public use of providing needed health care in a cost-effective manner.

Be it enacted by the Legislature of West Virginia:

BOONE COUNTY COMMISSION.

§1. Boone County Commission authorized to transfer its title and interests in the Boone Memorial Hospital.

The Boone County commission holds title to the assets of the Boone County public hospital doing business as the Boone Memorial Hospital, also known as the Boone County Memorial Hospital, pursuant to section fourteen, article three, chapter seven of this

1 code and desires to transfer its title to that hospital to the West
2 Virginia private, nonprofit corporation, the Boone Memorial
3 Hospital, Incorporated, formed by the board of trustees of Boone
4 Memorial Hospital so that the hospital may continue to provide
5 medical care and emergency medical services to the hospital's
6 service area in a cost-effective and efficient manner.
7 Notwithstanding section three, article three, chapter seven of this
8 code, as the disposition of these assets by public auction would be
9 impractical and potentially adverse to the interests of the
10 hospital's service area, the Boone County commission is authorized
11 and empowered to transfer all of its rights, titles and interests
12 to all of the assets, both tangible and intangible, real, personal
13 and mixed, wherever located, necessary to operate the hospital
14 doing business as the Boone Memorial Hospital, also known as the
15 Boone County Memorial Hospital, to the Boone Memorial Hospital,
16 Incorporated. These assets include, but are not limited to, those
17 certain parcels or tracts of land and hospital buildings thereon
18 used for the existing county public hospital situate in the city of
19 Madison for a fair and adequate consideration, either monetary or
20 nonmonetary, that may include public benefits that may accrue,
21 without considering, by itself alone, the fair market value of the
22 property and the parties agree to forego the necessity of a public
23 auction. The transfer of its rights, titles and interests is for
24 the express purpose of continuing to provide healthcare to the
25 public in Boone County. The conveyance of the real property by the

1 Boone County commission shall contain a provision that the
2 ownership shall revert to the county commission should the property
3 cease to be used for the purposes set forth in this section for a
4 period of twelve months: *Provided*, That this reversionary interest
5 may be modified at any time to the extent necessary to allow for
6 future financing of a new hospital in Boone County.

7 **§2. Effective date.**

8 This act shall be effective immediately upon being signed by
9 the Governor or becoming law without the Governor's signature.

NOTE: The purpose of this bill is to permit the county commission of Boone County to transfer its title and interests in the Boone Memorial Hospital, also known as the Boone County Memorial Hospital, to the Boone Memorial Hospital, Incorporated, a West Virginia private, nonprofit corporation for the continued public use of providing needed health care in a cost-effective manner.