

1 **Senate Bill No. 119**

2 (By Senator Miller)

3 _____

4 [Introduced February 13, 2013; referred to the Committee on

5 Energy, Industry and Mining; and then to the Committee on the

6 Judiciary.]

7 _____

8

9

10

11 A BILL to amend the Code of West Virginia, 1931, as amended, by

12 adding thereto a new section, designated §36-3-8a, relating to

13 permitting a surface owner to have the right of first refusal

14 to purchase a mineral estate beneath the surface when the

15 mineral owner offers the mineral estate for sale.

16 *Be it enacted by the Legislature of West Virginia:*

17 That the Code of West Virginia, 1931, as amended, be amended

18 by adding thereto a new section, designated §36-3-8a, to read as

19 follows:

20 **ARTICLE 3. FORM AND EFFECT OF DEEDS AND CONTRACTS.**

21 **§36-3-8a. Surface owners' rights to purchase mineral estates.**

22 Beginning January 1, 2014, an owner of a mineral estate shall

23 give the surface owner the right of first refusal to purchase the

1 mineral estate in the event the mineral estate is sold.

NOTE: The purpose if the bill is to grant a surface owner the right to purchase a mineral estate in the event the mineral estate is sold.

This section is new; therefore, strike-throughs and underscoring have been omitted.