

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4236**

BY DELEGATES NELSON, HANSHAW AND SHOTT

(BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION)

[Passed March 3, 2018; in effect ninety days from passage.]



1 AN ACT to amend and reenact §5A-10-9 of the Code of West Virginia, 1931, as amended, relating  
2 to requiring agencies to provide an annual inventory of real property holdings to the Real  
3 Estate Division; removing the exemption of certain agencies from reporting property  
4 holdings to the Real Estate Division; clarifying the information to be reported annually by  
5 agencies; and requiring an annual report by the Real Estate Division to the Governor and  
6 Legislature.

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

**ARTICLE 10. REAL ESTATE DIVISION.**

**§5A-10-9. Real property accounting and records.**

1 (a) All real property owned or leased by the state shall be accounted for by the state  
2 spending unit that owns, leases or is in the possession of the real property.

3 (b) Each state spending unit shall establish and maintain a record of each item of real  
4 property it owns and/or leases and annually furnish its records to the Real Estate Division.

5 (c) Beginning July 1, 2019, and every year thereafter, the Real Estate Division shall report  
6 to the Governor and Joint Committee on Government and Finance those agencies that have not  
7 provided a complete annual record pursuant to subsection (b).

8 (d) With regard to public lands, rivers or streams, that may be by law specifically allocated  
9 to and used by any state agency, institution, division or department, such agency, institution,  
10 division or department shall provide an inventory of such public land(s), rivers or streams, to the  
11 Public Land Corporation in accordance with the provisions of §5A-11-1, *et seq.* of this code.

12 (e) The records furnished to the Real Estate Division shall include a description of each  
13 item of real property including address, lot number, and if available, the following identifying  
14 information:

15 (1) The date of purchase and the purchase price of the real property;

16 (2) If the state is leasing real property, the date of lease and the rental costs of the real  
17 property;

18 (3) The name of the state spending unit holding title to the real property for the state;

19 (4) A description of the current uses of the real property and the projected future use of  
20 the real property; and

21 (5) A description of each building or other improvement located on the real property.

22 (f) The records furnished to the Real Estate Division regarding rivers and streams shall  
23 include a description of each river or stream, including the applicable county, tax district, and if  
24 the interest or property is under the Ohio River, the applicable mile post.

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

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2018.

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*Governor*