

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENROLLED

House Bill 4627

BY DELEGATE MOORE

[Passed March 10, 2018; in effect ninety days from passage.]

1 AN ACT to amend and reenact §8-21-8 of the Code of West Virginia, 1931, as amended, relating
2 to providing a limitation on the eminent domain authority of a municipal park board by
3 requiring the approval of the governing body of that municipality in instances where it is
4 sought to be exercised.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21. BOARD OF PARK AND RECREATION COMMISSION.

§8-21-8. Purchase, lease or condemnation of real property.

1 The board is hereby granted the power and authority to acquire in its name or in the name
2 of the city by purchase, lease, or by exercise of the power of eminent domain, or otherwise, such
3 land or lands as it shall determine to be necessary, appropriate, convenient or incidental to the
4 establishment, construction, improvement, extension, development, maintenance or operation of
5 a system of public parks, parkways, playgrounds, athletic fields, stadiums, swimming pools,
6 skating rinks or arenas and other public park and recreational facilities for the city, whether of a
7 like or different nature: *Provided*, That any such acquisition by the board made by exercise of the
8 power of eminent domain must be approved by a majority vote of the governing body of that
9 municipality. Approval by the governing body must be granted as to each specific parcel or tract
10 of land to be acquired by power of eminent domain.

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

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

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Governor