WEST VIRGINIA LEGISLATURE 2025 REGULAR SESSION

Introduced

House Bill 2092

By Delegates G. Howell, Hillenbrand, B. Smith

[Introduced February 12, 2025; referred

to the Committee on Government Organization]

Intr HB 2025R1749

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-3-3b, and to amend said code by adding thereto a new section, designated §8-12-10a, relating to requiring counties and municipalities to provide public notice for land or building purchases.

Be it enacted by the Legislature of West Virginia:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

	ARTICLE		3.		COUNTY				PROPERTY.		
	<u>§7-3-3b.</u> Pu	blic notice	requirement	for	county	land	or	building	purchases.		
1	<u>(a) No</u>	tice requireme	nt. – Counties s	hall p	rovide pub	olic noti	ce fo	the purcha	ase of land or		
2	buildings at lea	ast three mont	hs prior to purch	nase c	of the prop	erty. In	<u>addit</u>	on to the in	formation set		
3	forth in subse	ection (b) of the	nis section, not	ice m	ust indica	te the	size	of the land	or buildings		
4	intending to be	purchased.	The county shall	l enter	tain subm	itted pr	oposa	als in a pub	lic format that		
5	are within 10 p	ercent of the s	specifications pro	ovided	d, and with	in the b	order	s of the sub	odivision, with		
6	a reasonable	distance from j	point selected, r	not to	exceed for	ur miles	. Pro	posals shal	l be available		
7	for 10 business days to the public prior to action being taken.										
8	<u>(b) <i>Pu</i></u>	blic notice def	<u>fined. – Public r</u>	otice	may be c	omplet	ed us	ing accept	able forms of		
9	social media,	as well as pu	ublic posting at	the c	ourthouse	, with	adver	tisements	in news print		
10	optional. Anno	uncement of t	he sale using ar	ny med	dia that rea	aches tl	ne pu	blic and is a	appropriate to		
11	the type and v	alue of person	nal property to be	e sold	is to be co	onsider	ed pu	ıblic notice.			
12	<u>(c) Re</u>	quired inform	ation for notice	<u>. – Ir</u>	the pub	lic noti	ce, th	ne county	shall provide		
13	information ne	cessary for po	otential buyers to	o parti	cipate in th	ne sale	, inclu	iding the fo	llowing:		
14	<u>(1) Dat</u>	te, time and lo	cation of sale;								
15	<u>(2) Ge</u>	neral categorie	es of property be	eing of	ffered for s	sale;					
16	<u>(3) Ins</u>	pection period	1								
17	(4) Me	thod of sale (i.	e., spot bid, sea	ıled bi	d, auction)	<u>);</u>					

Intr HB 2025R1749

18	(5)) Selling	ag	ency	; and

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19 (6) Who to contact for additional information.

CHAPTER 8. MUNICIPAL CORPORATIONS.

ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES. §8-12-10a. Public notice requirement for municipality land or building purchases.

- (a) Notice requirement. Municipalities shall provide public notice for the purchase of land or buildings at least three months prior to purchase of the property. In addition to the information set forth in subsection (b) of this section, notice must indicate the size of the land or buildings intending to be purchased. The municipality shall entertain submitted proposals in a public format that are within 10 percent of the specifications provided, and within the borders of the subdivision, with a reasonable distance from point selected, not to exceed four miles. Proposals shall be available for 10 business days to the public prior to action being taken.
- (b) Public notice defined. Public notice may be completed using acceptable forms of social media, as well as public posting at the courthouse, with advertisements in news print optional. Announcement of the sale using any media that reaches the public and is appropriate to the type and value of personal property to be sold is to be considered public notice.
- (c) Required information for notice. In the public notice, the municipality shall provide information necessary for potential buyers to participate in the sale, including the following:
- 14 (1) Date, time and location of sale;
- 15 (2) General categories of property being offered for sale;
- 16 (3) Inspection period;
- 17 (4) Method of sale (i.e., spot bid, sealed bid, auction);
- 18 (5) Selling agency; and

Intr HB 2025R1749

19 (6) Who to contact for additional information.

NOTE: The purpose of this bill is to require counties and municipalities to provide public notice for land or building purchases.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.

3