

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 530

By Senators Rose, Thorne, and Martin

[Introduced February 19, 2025; referred
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §37-1-5a, relating to the purchase of or acquisition of title to real property by
3 certain aliens or foreign entities.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 1. LANDS OF INFANTS, INSANE PERSONS, OR CONVICTS, AND LANDS
HELD IN TRUST.**

**§37-1-5a. Purchase of or acquisition of title to real property by certain aliens or foreign
entities.**

1 (a) Definitions. - For the purposes of this section:

2 (1) "Alien" means any individual who is not a citizen or lawful permanent resident of the
3 United States.

4 (2) "Foreign Entity" includes any corporation, company, association, partnership, or other
5 entity formed under the laws of a foreign country.

6 (3) "Designated Country" means countries deemed by the West Virginia Secretary of State
7 to pose a significant risk to national security, including but not limited to China, Russia, Iran, and
8 North Korea or any other country so designated by executive order or legislative action.

9 (b) Prohibition. - No governmental entity of a designated country, no entity controlled by or
10 acting on behalf of the government of a designated country, or no individual or entity from a
11 designated country may purchase or acquire title to real property within this state, except as
12 provided in this section. Any entity or individual described above who does not fall under the
13 exceptions listed in subsection (c) who continues to own land shall sell that land within 180 days.
14 All foreign entities and individuals described above shall file within 60 days to the Department of
15 Agriculture with a description of the amount and type of land owned.

16 (c) Exceptions. - This section does not apply to:

17 (1) An individual who is a citizen or lawful permanent resident of the United States,

18 including those who are citizens of foreign countries but have U.S. citizenship or permanent
19 residency status.

20 (2) Real property that qualifies as an individual's residence homestead, as defined by West
21 Virginia law.

22 (3) Leasehold interests in land or improvements constructed upon a leasehold, provided
23 such interests do not exceed a term of five years.

24 (d) Enforcement. -

25 (1) The Attorney General of West Virginia is authorized to investigate and enforce
26 violations of this section.

27 (2) If the Attorney General has reason to believe that a violation has occurred, they may
28 bring an action for injunctive relief, divestment, or to place the property under receivership in a
29 circuit court of the county where the real property is located.

30 (3) Upon finding a violation, the court may appoint a receiver to manage and dispose of the
31 property in accordance with §44-2-1 et seq. of this code, with the proceeds from such disposal to
32 be managed as directed by the court.

33 (e) Rulemaking. - The Attorney General may promulgate rules, in accordance with the
34 provisions of §29A-3-1 et seq. of this code necessary to implement this section.

35 (f) Severability. - If any provision of this section or the application thereof to any person or
36 circumstance is held invalid, such invalidity shall not affect other provisions or applications of this
37 section which can be given effect without the invalid provision or application, and to this end the
38 provisions of this section are declared to be severable.

NOTE: The purpose of this bill relates to the purchase of or acquisition of title to real property by certain aliens or foreign entities.

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