

HB # 4472

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

HOUSE BILL No. 4472

(By Delegates Burk, Bieme, Anderson,
Borden and Brum)



Passed March 12, 1994

In Effect 90 Days from Passage

ENROLLED
H. B. 4472

(By DELEGATES BURK, BEANE, ANDERSON, BORDER AND BRUM)

[Passed March 12, 1994; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing county commissions to sell or dispose of property belonging to the county.

Be it enacted by the Legislature of West Virginia:

That section three, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. COUNTY PROPERTY.

§7-3-3. Sale of county or district property.

1 Except as may be prohibited by law or otherwise, the
2 county commission of a county is authorized by law to
3 sell or dispose of any property, either real or personal,
4 belonging to the county or held by it for the use of any
5 district thereof. The property shall be sold at public
6 auction, at the front door of the courthouse of the county,
7 and such sale shall be conducted by the president of the
8 county commission, but before making any such sale,
9 notice of the time, terms and place of sale, together with
10 a brief description of the property to be sold, shall be
11 published as a Class II legal advertisement in com-
12 pliance with the provisions of article three, chapter fifty-
13 nine of this code, and the publication area for such
14 publication shall be the county: *Provided*, That this
15 section shall not apply to the sale of any one item of

16 property of less value than one thousand dollars:
17 *Provided, however,* That the provisions of this section
18 concerning sale at public auction shall not apply to a
19 county commission selling or disposing of its property
20 for a public use to the United States of America, its
21 instrumentalities, agencies or political subdivisions or to
22 the state of West Virginia, or its political subdivisions,
23 including county boards of education, volunteer fire
24 departments and volunteer ambulance services, for an
25 adequate consideration without considering alone the
26 present commercial or market value of the property:
27 *Provided further,* That all real property conveyed or sold
28 by a county commission to a volunteer fire department
29 or volunteer ambulance service under this provision
30 shall revert back to the county commission if the
31 volunteer fire department or volunteer ambulance
32 service ceases to use it for the purpose for which the real
33 property was conveyed or sold.

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

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker of the House of Delegates

The within is approved this the 29th
day of March, 1994.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/25/94

Time 9:45 Am