

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**Enrolled**

**Senate Bill 306**

BY SENATOR BLAIR

[Passed March 12, 2016; in effect 90 days from passage]



1 AN ACT to amend and reenact §7-3-3 of the Code of West Virginia, 1931, as amended, relating  
2 to sale of county or district property; permitting property be sold either at an on-site public  
3 auction or by utilizing an Internet-based public auction service; and requiring notice of sale  
4 include notice of the time, terms, manner and place of sale or the Internet-based public  
5 auction service to be utilized.

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

1 That §7-3-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
2 to read as follows:

**ARTICLE 3. COUNTY PROPERTY.**

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

3 Except as may be prohibited by law or otherwise, the county commission of a county is  
4 authorized by law to sell or dispose of any property, either real or personal, belonging to the  
5 county or held by it for the use of any district thereof. The property shall be sold either at an on-  
6 site public auction or by utilizing an Internet-based public auction service, and such sale shall be  
7 conducted by the president of the county commission, but before making any such sale, notice of  
8 the time, terms, manner and either the location of the sale or the Internet-based public auction  
9 service to be utilized, together with a brief description of the property to be sold, shall be published  
10 as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-  
11 nine of this code, and the publication area for such publication shall be the county: *Provided*, That  
12 this section shall not apply to the sale of any one item of property of less value than \$1,000:  
13 *Provided, however*, That the provisions of this section concerning sale at public auction shall not  
14 apply to a county commission selling or disposing of its property for a public use to the United  
15 States of America, its instrumentalities, agencies or political subdivisions or to the State of West  
16 Virginia, or its political subdivisions, including county boards of education, volunteer fire  
17 departments and volunteer ambulance services, for an adequate consideration without  
18 considering alone the present commercial or market value of the property: *Provided further*, That

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19 all real property conveyed or sold by a county commission to a volunteer fire department or  
20 volunteer ambulance service under this provision shall revert back to the county commission if  
21 the volunteer fire department or volunteer ambulance service ceases to use it for the purpose for  
22 which the real property was conveyed or sold.

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

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect 90 days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2016.

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*Governor*