

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **Senate Bill 306**

BY SENATOR BLAIR

[Introduced January 15, 2016;

Referred to the Committee on Government Organization.]



1 A BILL to amend and reenact §7-3-3 of the Code of West Virginia, 1931, as amended, relating to  
2 sale of county or district property; permitting property be sold at an on-site public auction  
3 or by utilizing an Internet-based service; and requiring notice of sale include notice of the  
4 time, terms, manner and place of sale or the Internet-based 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 at an on-site  
6 public auction or by utilizing an Internet-based service, ~~at the front door of the courthouse of the~~  
7 ~~county~~, and such sale shall be conducted by the president of the county commission, but before  
8 making any such sale, notice of the time, terms, manner and place either the location of the sale  
9 or the Internet-based service to be utilized, together with a brief description of the property to be  
10 sold, shall be published as a Class II legal advertisement in compliance with the provisions of  
11 article three, chapter fifty-nine of this code, and the publication area for such publication shall be  
12 the county: *Provided*, That this section shall not apply to the sale of any one item of property of  
13 less value than \$1,000: *Provided, however*, That the provisions of this section concerning sale at  
14 public auction shall not apply to a county commission selling or disposing of its property for a  
15 public use to the United States of America, its instrumentalities, agencies or political subdivisions  
16 or to the State of West Virginia, or its political subdivisions, including county boards of education,  
17 volunteer fire departments and volunteer ambulance services, for an adequate consideration  
18 without considering alone the present commercial or market value of the property: *Provided*  
19 *further*, That all real property conveyed or sold by a county commission to a volunteer fire

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

NOTE: The purpose of this bill is to permit the sale of county or district property at an on-site auction or by utilizing an Internet-based service.

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