

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2660

By Delegates Funkhauser, Ridenour, W. Clark,

Masters, Hornby, and D. Cannon

[Introduced February 20, 2025; referred to the

Committee on Finance]

1 A BILL to amend and reenact §11A-3-52 of the Code of West Virginia, 1931, as amended, relating
2 to amending duties of a purchaser of property sold by the Auditor for unpaid taxes in order
3 to secure a deed to include the satisfaction of any municipal lien of record on the property.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 3. SALE OF TAX LIENS AND NONENTERED, ESCHEATED AND WASTE
AND UNAPPROPRIATED LANDS.**

§ 11A-3-52. Duties of purchaser to secure a deed.

1 (a) Within 120 days following the approval of the sale by the Auditor pursuant to §11A-3-51
2 of this code, the purchaser, his or her heirs or assigns, in order to secure a deed for the real estate
3 purchased, shall:

4 (1) Prepare a list of those to be served with notice to redeem and request the Auditor to
5 prepare and serve the notice as provided in §11A-3-54 and §11A-3-55 of this code;

6 (2) When the real property subject to the tax lien was classified as Class II property,
7 provide the Auditor with the actual mailing address of the property that is subject to the tax lien or
8 liens purchased; ~~and~~

9 (3) Deposit, or offer to deposit, with the Auditor a sum sufficient to cover the costs of
10 preparing and serving the notice; and

11 (4) Satisfy any municipal lien of record issued provided in §8-12-16 and to provide the
12 Auditor with a certified record of satisfaction issued by the levying municipality regarding the real
13 estate purchased.

14 (b) If the purchaser fails to fulfill the requirements set forth in subsection (a) of this section,
15 the purchaser shall lose all the benefits of his or her purchase.

16 (c) After the requirements of subsection (a) of this section have been satisfied, the Auditor
17 shall issue and notice to redeem as required by §11A-3-54 and §11A-3-55 of this code.

18 (d) If the person requesting preparation and service of the notice is an assignee of the

19 purchaser, he or she shall, at the time of the request, file with the Auditor a written assignment to
20 him or her of the purchaser's rights, executed, acknowledged, and certified in the manner required
21 to make a valid deed.

22 (e) Whenever a purchaser has failed to comply with the notice requirements set forth in
23 subsection (a) of this section, the purchaser may receive an additional 60 days from the expiration
24 of the time period set forth in subsection (a) of this section to comply with the notice requirements
25 set forth in subsection (a) of this section if the purchaser files with the Auditor a request in writing
26 for the extension within 30 days following the expiration of the time period set forth in subsection
27 (a) of this section and makes payment by U. S. currency, cashier's check, certified check, or
28 money order in the amount of \$100 or 10 percent of the total amount paid on the day of sale set
29 forth in §11A-3-45 of this code, whichever is greater. The fee for issuing the certificate of extension
30 shall be \$25 made payable to the Auditor.

31 (f) The Auditor shall each month draw his or her warrant upon the treasury payable to the
32 county board of education of each county for payment received by him or her for the extension of
33 the time period set forth in subsection (e) of this section for property located within each such
34 county.

NOTE: The purpose of this bill is to amending duties of a purchaser of property sold by the Auditor for unpaid taxes to secure a deed to include the satisfaction of any municipal lien of record on the property.

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