WEST virginia legislature

2025 regular session

Committee Substitute

for

Senate Bill 102

By Senator Weld

[Reported March 12, 2025, from the Committee on the Judiciary]

A BILL to amend and reenact §36-3-5 of the Code of West Virginia, 1931, as amended, relating to modifying the form of deeds; and requiring that all deeds except for a transfer on death deed and transfers between parents and children for consideration of less than $2,000 contain a notarized acknowledgment of the grantee or grantees evidencing acceptance of the real property being conveyed.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. FORM AND EFFECT OF DEEDS AND CONTRACTS.

§36-3-5. Form of deed.

(a) A deed may be made in the following form, or to the same effect: "This deed made the ........ day of ........., in the year ........, between (here insert names of parties), witnesseth: That in consideration of (here state the consideration), the said ............... grants unto the said ............... all, etc. (Here describe the property, and insert covenants or any other provisions.) Witness the following signature."

(b) All deeds, except for a transfer on death deed made pursuant to §39-12-1 *et seq.* of this code, and transfers between parent and child for consideration of less than $2,000, shall contain the notarized acknowledgement of the grantee evidencing the acceptance of the conveyance of the real property being conveyed by the deed.