

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4452

By Delegates Hillenbrand, Chiarelli, and Coop-

Gonzalez

[Introduced January 16, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §35-1-8 of the Code of West Virginia, 1931, as amended, relating to
2 removing "Mortmain" restrictions on religious organizations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. RELIGIOUS ORGANIZATIONS.

**§35-1-8. Quantity of real estate trustee may take and hold Real estate for a trustee or
trustees of a church, parish, congregation or branch.**

1 The trustee or trustees of any individual church, parish, congregation or branch of any
2 religious sect, society or denomination within this state may take and hold at any one time for each
3 church, parish or congregation ~~not to exceed ten acres of land~~ in any incorporated city, town or
4 village, and not to exceed sixty acres out of such city, town or village.

NOTE: The purpose of this bill is to remove "Mortmain" restrictions on religious organizations.

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