

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 19**

By Senator Rose

[Introduced January 14, 2026; referred

to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §37-1-5a, relating to the purchase of or acquisition of title to real property by  
3 certain aliens or foreign entities; providing definitions; clarifying when purchase or  
4 acquisition is prohibited; creating exceptions; authorizing enforcement and creating civil  
5 penalties by the Attorney General; authorizing rule-making authority; and providing for  
6 severability.

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

**ARTICLE 1. LANDS OF INFANTS, INSANE PERSONS, OR CONVICTS, AND LANDS**

**HELD IN TRUST.**

**§37-1-5a. Purchase of or acquisition of title to real property by certain aliens or foreign entities.**

(a) Definitions. - For the purposes of this section:

(1) "Alien" means any individual who is not a citizen or lawful permanent resident of the  
United States.

(2) "Foreign Entity" includes any corporation, company, association, partnership, or other  
entity formed under the laws of a foreign country.

(3) "Designated Country" means countries deemed by the West Virginia Secretary of State  
to pose a significant risk to national security, including but not limited to China, Russia, Iran, and  
North Korea or any other country so designated by executive order or legislative action.

(b) Prohibition. - No governmental entity of a designated country, no entity controlled by or  
acting on behalf of the government of a designated country, or no individual or entity from a  
designated country may purchase or acquire title to real property within this state, except as  
provided in this section. Any entity or individual described above who does not fall under the  
exceptions listed in subsection (c) who continues to own land shall sell that land within 180 days.  
All foreign entities and individuals described above shall file within 60 days to the Department of

15     Agriculture with a description of the amount and type of land owned.

16         (c) Exceptions. - This section does not apply to:

17             (1) An individual who is a citizen or lawful permanent resident of the United States,

18     including those who are citizens of foreign countries but have U.S. citizenship or permanent

19     residency status.

20         (2) Real property that qualifies as an individual's residence homestead, as defined by West  
21     Virginia law.

22         (3) Leasehold interests in land or improvements constructed upon a leasehold, provided  
23     such interests do not exceed a term of five years.

24         (d) Enforcement. -

25             (1) The Attorney General of West Virginia is authorized to investigate and enforce  
26     violations of this section.

27             (2) If the Attorney General has reason to believe that a violation has occurred, they may  
28     bring an action for injunctive relief, divestment, or to place the property under receivership in a  
29     circuit court of the county where the real property is located.

30         (3) Upon finding a violation, the court may appoint a receiver to manage and dispose of the  
31     property in accordance with §44-2-1 *et seq.* of this code, with the proceeds from such disposal to  
32     be managed as directed by the court.

33         (e) Rulemaking. - The Attorney General may promulgate rules, in accordance with the  
34     provisions of §29A-3-1 *et seq.* of this code necessary to implement this section.

35         (f) Severability. - If any provision of this section or the application thereof to any person or  
36     circumstance is held invalid, such invalidity shall not affect other provisions or applications of this  
37     section which can be given effect without the invalid provision or application, and to this end the  
38     provisions of this section are declared to be severable.

NOTE: The purpose of this bill relates to the purchase of or acquisition of title to real property by certain aliens or foreign entities.

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