

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 556

BY SENATOR WALTERS

[Introduced February 8, 2016;

Referred to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §20-12-9, relating to providing owner of conservation easement be given the
 3 right of first refusal to purchase the land upon which it enjoys a conservation easement
 4 when a landowner intends to sell land upon which the easement exists.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §20-12-9, to read as follows:

ARTICLE 12. CONSERVATION AND PRESERVATION EASEMENTS.

§20-12-9. Right of first refusal to purchase land upon which a conservation easement exists.

1 Notwithstanding any provision of law to the contrary, the owner of a conservation
 2 easement shall be given the right of first refusal to purchase the land upon which the easement
 3 exists, in the event the owner of the real property upon which the easement lies, intends to sell
 4 all or part of the real property surrounding the easement, including the property upon which the
 5 easement lies.

NOTE: The purpose of this bill is to provide the owner of a conservation easement be given the right of first refusal to purchase land upon which it holds the easement when a landowner intends to sell land upon which the easement exists.

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