

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Enrolled

Senate Bill 306

BY SENATOR BLAIR

[Passed March 12, 2016; in effect 90 days from passage]

1 AN ACT to amend and reenact §7-3-3 of the Code of West Virginia, 1931, as amended, relating
2 to sale of county or district property; permitting property be sold either at an on-site public
3 auction or by utilizing an Internet-based public auction service; and requiring notice of sale
4 include notice of the time, terms, manner and place of sale or the Internet-based public
5 auction service to be utilized.

Be it enacted by the Legislature of West Virginia:

1 That §7-3-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 3. COUNTY PROPERTY.

§7-3-3. Sale of county or district property.

3 Except as may be prohibited by law or otherwise, the county commission of a county is
4 authorized by law to sell or dispose of any property, either real or personal, belonging to the
5 county or held by it for the use of any district thereof. The property shall be sold either at an on-
6 site public auction or by utilizing an Internet-based public auction service, and such sale shall be
7 conducted by the president of the county commission, but before making any such sale, notice of
8 the time, terms, manner and either the location of the sale or the Internet-based public auction
9 service to be utilized, together with a brief description of the property to be sold, shall be published
10 as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-
11 nine of this code, and the publication area for such publication shall be the county: *Provided*, That
12 this section shall not apply to the sale of any one item of property of less value than \$1,000:
13 *Provided, however*, That the provisions of this section concerning sale at public auction shall not
14 apply to a county commission selling or disposing of its property for a public use to the United
15 States of America, its instrumentalities, agencies or political subdivisions or to the State of West
16 Virginia, or its political subdivisions, including county boards of education, volunteer fire
17 departments and volunteer ambulance services, for an adequate consideration without
18 considering alone the present commercial or market value of the property: *Provided further*, That

Enr. SB 306

19 all real property conveyed or sold by a county commission to a volunteer fire department or
20 volunteer ambulance service under this provision shall revert back to the county commission if
21 the volunteer fire department or volunteer ambulance service ceases to use it for the purpose for
22 which the real property was conveyed or sold.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....
Chairman, Senate Committee

.....
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

.....
Clerk of the Senate

.....
Clerk of the House of Delegates

.....
President of the Senate

.....
Speaker of the House of Delegates

The within this the.....
Day of, 2016.

.....
Governor