

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 115

**FISCAL
NOTE**

BY SENATOR TRUMP

[Introduced January 10, 2018; Referred
to the Committee on Agriculture and Rural Development;
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §19-12A-1b, relating to requiring the Commissioner of the Department of
 3 Agriculture, on or before May 15, 2018, to sell all farms owned by the department at public
 4 auction with the net proceeds of the sales being deposited in the General Revenue Fund;
 5 and requiring appraisals to be made by the Real Estate Division of the Department of
 6 Administration.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12A. LAND DIVISION.

§19-12A-1b. Sale of state-owned farms required.

1 (a) The commissioner shall sell, on or before May 15, 2018, all farms owned by the
 2 Department of Agriculture at public auction. The commissioner shall reject a bid when the bid
 3 does not meet or exceed the fair market value of the property determined under subsection (c) of
 4 this section. The net proceeds of all sales made under this section shall be deposited in the
 5 General Revenue Fund.

6 (b) A sale made under this section shall be made subject to any lease on the property
 7 made under §5A-10-6 of this code.

8 (c) The farms may not be sold, exchanged or transferred by the commissioner for less
 9 than fair market value. Fair market value shall be determined by an appraisal made by the Real
 10 Estate Division of the Department of Administration. The appraisal shall be performed using the
 11 principles contained in the current Uniform Appraisal Standards for Federal Land Acquisitions
 12 published under the auspices of the Interagency Land Acquisition Conference may be sold,
 13 exchanged or transferred to any federal agency or to the state or any of its political subdivisions
 14 for less than fair market value if, upon a specific written finding of fact, the Executive Director of
 15 the Real Estate Division determines that such a transfer would be in the best interests of the
 16 Department of Agriculture and the state.

NOTE: The purpose of this bill is to require the Commissioner of the Department of Agriculture, on or before May 15, 2018, to sell all farms owned by the department at public auction, with the net proceeds of the sales being deposited in the General Revenue Fund.

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