

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2950

By Delegate Cooper

[Introduced February 25, 2025; referred to the
Committee on Finance]

1 A BILL to amend and reenact §39-1-5 of the Code of West Virginia, 1931, as amended, relating to
2 the acknowledgment of a deed or writing, by a husband or wife for the sale or conveyance
3 of real estate, stating a value of \$12,000 or less.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. AUTHENTICATION AND RECORD OF WRITINGS.

§39-1-5. Acknowledgment by husband and wife.

1 (a) When a husband and wife have signed a writing purporting to sell or convey real estate,
2 the wife may acknowledge the same together with, or separately from her husband. Either the
3 husband or the wife may sign and acknowledge the writing before the other has signed or
4 acknowledged it. If both acknowledge the writing at the same time, the certificate of the
5 acknowledgments may be in form or effect as follows:

6 State (territory or district) of county of, to wit:

7 I,, a notary public of the said county of; or I,, clerk of the
8 court or county of; (or other officer or person authorized to take acknowledgments by
9 section three of this article, as the case may be),* do certify and, his or her wife
10 whose names are signed to the writing above (or hereto annexed) bearing date the day of
11, 20..., have this day acknowledged the same before me in my said

12 Given under my hand this day of, 20.....

13 (b) If the husband or wife acknowledge a deed or other writing separately from the other,
14 the certificate of acknowledgment after the star in the foregoing form shall be in form or effect as
15 follows: do certify that, the wife of, (or the husband of, as the case may be),
16 whose name is signed to the writing above (or hereto annexed) bearing date the day of
17, 20, has this day acknowledged the same before me in my said

18 Given under my hand this day of, 20

19 (c) A deed or writing, that purports to sell or convey real estate for \$12,000 or less, may be
20 acknowledged by either a husband or wife without the necessity of acknowledgement of the other.

NOTE: The purpose of this bill is to permit either a husband or wife to acknowledge a deed or other writing that conveys real estate that has a value of \$12,000 or less.

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