WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3141

By Delegates Street, Hornby, Horst, Ridenour, Funkhouser, Chiarelli, D. Cannon, Dillon, Hillenbrand, Moore, and Sheedy

[Introduced March 04, 2025; referred to the Committee on Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §54-2-22, relating to eminent domain; establishing additional fees; and clarifying the fee requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. PROCEDURE.

§54-2-22. Additional fees for eminent domain proceedings.

Upon an order being entered on the value being paid to a landowner during an eminent domain proceeding, any entity, private or government, shall pay an additional fee of 15% of the court ordered value to the county or counties where the property is being taken. This fee is in addition to other costs to the entity condemning the land and shall not reduce the amount paid to the landowner. The additional fee shall be used by said county only for acquisition of additional public forests, parks, recreation facilities, and improvements to the same.

NOTE: The purpose of this bill is to provide a fee to be paid to counties when property is taken under eminent domain and to establish how those funds can be spent.

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