WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED

HOUSE BILL No. 985

(By Mr. Moore and Mr. Scott)

PASSED March 13, 1971

In Effect Ninety Days From Passage
AN ACT to amend and reenact section three, article nineteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to a municipality's right to acquire a waterworks system by eminent domain; limitations.

Be it enacted by the Legislature of West Virginia:

That section three, article nineteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 19. MUNICIPAL WATERWORKS SYSTEM.

PART III. RIGHT OF EMINENT DOMAIN.

§8-19-3. Right of eminent domain; limitations.

1 For the purpose of acquiring, constructing, establishing
2 or extending any waterworks system, or for the purpose
of constructing any additions, betterments or improve-
ments to any waterworks system, or for the purpose of
acquiring any property necessary, appropriate, useful,
convenient or incidental for or to any waterworks sys-
tem, under the provisions of this article, the municipality
shall have the right of eminent domain as provided in
chapter fifty-four of this code: Provided, That such right
of eminent domain for the acquisition of a complete
privately owned waterworks system shall not be exer-
cised without prior notification to the public service
commission, and in no event shall any municipality
construct, establish or extend beyond the corporate limits
of said municipality a municipal waterworks system
under the provisions of this article to supply service in
competition with an existing privately or municipally
owned waterworks system in such municipality or with-
in the proposed extension of such system, unless a cer-
tificate of public convenience and necessity therefor
shall have been issued by the public service commission.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within disappeared this the 1st day of April, 1971.

Governor