

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1989

— ● —
ENROLLED

Committee Substitute for
SENATE BILL NO. _____

(By Senator *Tucker, Mr. President, et al.*)

— ● —
PASSED _____ *April 5,* _____ 1989

In Effect _____ *from* _____ Passage

70.1

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ENROLLED

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 1

(By SENATORS TUCKER, MR. PRESIDENT,
AND HAWSE, *original sponsors*)

[Passed April 5, 1989; in effect from passage.]

AN ACT to amend and reenact section three, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to including volunteer fire departments and volunteer ambulance services as eligible to receive county or district property.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 3. COUNTY PROPERTY.

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

1 In all instances where the county commission of a
2 county is authorized by law to sell or dispose of any
3 property, either real or personal, belonging to the
4 county or held by it for the use of any district thereof,

5 the same shall be sold at public auction, at the front
6 door of the courthouse of the county, and such sale
7 shall be conducted by the president of the county
8 commission, but before making any such sale, notice of
9 the time, terms and place of sale, together with a brief
10 description of the property to be sold, shall be pub-
11 lished as a Class II legal advertisement in compliance
12 with the provisions of article three, chapter fifty-nine
13 of this code, and the publication area for such publi-
14 cation shall be the county: *Provided*, That this section
15 shall not apply to the sale of any one item of property
16 of less value than one thousand dollars: *Provided*,
17 *however*, That the provisions of this section concern-
18 ing sale at public auction shall not apply to a county
19 commission selling or disposing of its property for a
20 public use to the United States of America, its instru-
21 mentalities, agencies or political subdivisions or to the
22 state of West Virginia, or its political subdivisions,
23 including county boards of education, volunteer fire
24 departments and volunteer ambulance services, for an
25 adequate consideration without considering alone the
26 present commercial or market value of the property:
27 *Provided further*, That all real property conveyed or
28 sold by a county commission to a volunteer fire
29 department or volunteer ambulance service under this
30 provision shall revert back to the county commission
31 if the volunteer fire department or volunteer ambu-
32 lance service ceases to use it for the purpose for which
33 the real property was conveyed or sold.

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

Frederick L. Parker
.....
Chairman Senate Committee

Bernard V. Kelly
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Joel C. Smith
.....
Clerk of the Senate

Donald L. Hoop
.....
Clerk of the House of Delegates

Lawrence
.....
President of the Senate

Robert C. [unclear]
.....
Speaker House of Delegates

The within *is* approved this the *12th*
day of *April* 1989.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/7/89

Time 5:10