WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1994

ENROLLED

HOUSE BILL No. 4472

(By Delegates Burke, Brum, Anderson, Border and Brum)

Passed March 12, 1994

In Effect 90 Days from Passage
ENROLLED

H. B. 4472

(By DELEGATES BURK, BEANE, ANDERSON, BORDER AND BRUM)

[Passed March 12, 1994; in effect ninety days 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 authorizing county commissions to sell or dispose of property belonging to the county.

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 Except as may be prohibited by law or otherwise, the county commission of a county is authorized by law to sell or dispose of any property, either real or personal, belonging to the county or held by it for the use of any district thereof. The property shall be sold at public auction, at the front door of the courthouse of the county, and such sale shall be conducted by the president of the county commission, but before making any such sale, notice of the time, terms and place of sale, together with a brief description of the property to be sold, shall be published as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code, and the publication area for such publication shall be the county: Provided, That this section shall not apply to the sale of any one item of
property of less value than one thousand dollars:
Provided, however, That the provisions of this section
concerning sale at public auction shall not apply to a
county commission selling or disposing of its property
for a public use to the United States of America, its
instrumentalities, agencies or political subdivisions or to
the state of West Virginia, or its political subdivisions,
including county boards of education, volunteer fire
departments and volunteer ambulance services, for an
adequate consideration without considering alone the
present commercial or market value of the property:
Provided further, That all real property conveyed or sold
by a county commission to a volunteer fire department
or volunteer ambulance service under this provision
shall revert back to the county commission if the
volunteer fire department or volunteer ambulance
service ceases to use it for the purpose for which the real
property was conveyed or sold.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Ernest C. Moore

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Donald R. Jeff

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within \textit{approved} this the \textit{\textbf{29th}}

day of \textit{March}, 1994.

Governor

\textit{\textbf{Jim}}