

FILED

2001 MAY -2 P 11: 26

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001

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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 2830**

(By Delegates Manuel, Pethel and Faircloth)

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Passed April 12, 2001

In Effect Ninety Days from Passage

FILED

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FOR

**H. B. 2830**

(BY DELEGATES MANUEL, PETHTEL AND FAIRCLOTH)

[Passed April 12, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact section fifty-three, article three, chapter eleven-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the refund rights of a purchaser where the property is nonexistent.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 3. SALE OF TAX LIENS AND NONENTERED, ESCHEATED AND WASTE AND UNAPPROPRIATED LANDS.**

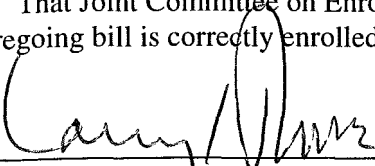
**§11A-3-53. Refund to purchaser of payment made at deputy commissioner's sale where property is nonexistent.**

FILED

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1 If, within forty-five days following the approval of the sale  
2 by the auditor, the purchaser discovers that the property  
3 purchased at the sale is nonexistent, the purchaser shall submit  
4 the abstract or certificate of an attorney-at-law that the property  
5 is nonexistent. Upon receipt of the abstract or certificate, the  
6 deputy commissioner shall cause the moneys so paid to be  
7 refunded. Upon refund of the amount bid at a deputy commis-  
8 sioner's sale, the deputy commissioner shall inform the assessor  
9 that the property does not exist for the purpose of having the  
10 assessor correct the error. For failure to meet this requirement,  
11 the purchaser shall lose all benefits of his purchase.

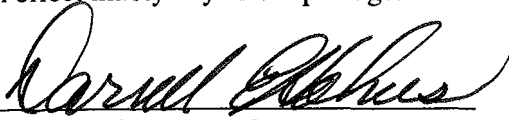
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

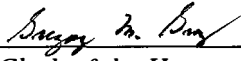
  
Chairman Senate Committee

  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the seul  
day of May, 2001.

  
Governor

PRESENTED TO THE

GOVERNOR

Date

4/24/01

Time

4:55 pm