Para I E D

2005 APR 29 A 11: 32

OFFICE WEST VIRGINIA SECRETARY OF STATE

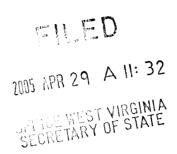
WEST VIRGINIA LEGISLATURE

Regular Session, 2005

ENROLLED

SENATE BIL	.L NO#0	
(By Senators_	Jenkins and Pl	lymale
PASSED	April 9, 200	°5-

In Effect 90 days from Passage



ENROLLED

Senate Bill No. 40

(By Senators Jenkins and Plymale)

[Passed April 9, 2005; in effect ninety days from passage.]

AN ACT to amend and reenact §11A-3-20 of the Code of West Virginia, 1931, as amended, relating to a sheriff's tax on sale of real estate erroneously assessed or nonexistent; and modifying the method for a purchaser to recover the purchase money.

Be it enacted by the Legislature of West Virginia:

That §11A-3-20 of the Code of West Virginia, 1931, 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-3-20. Refund to purchaser of payment made at sheriff's sale where property is subject of an erroneous assessment or is otherwise nonexistent.
 - 1 If, by the thirty-first day of December of the year
 - 2 following payment of the amount bid at a sheriff's sale, the
 - 3 purchaser discovers that the lien purchased at that sale is

4 the subject of an erroneous assessment or is otherwise

5 nonexistent, the purchaser shall submit the abstract or

6 certificate of an attorney at law that the property is the

subject of an erroneous assessment or is otherwise nonex-

3 istent. Upon receipt of the abstract or certificate, the

9 sheriff shall cause the moneys so paid to be refunded.

10 Upon refund, the sheriff shall inform the assessor of the

11 erroneous assessment for the purpose of having the

12 assessor correct the error. For failure to meet this require-

13 ment, the purchaser shall lose all benefits of his or her

14 purchase.

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

Chairman Benate Committee

Chairman House Committee

Originated in the Senate.

In effe	ectninet	y days f	rom pas	ssage.
,	//	, ,,	211	1
M	Posse	116	Cal	nes
. p. Y.	Clerk o	of the Se	nate	

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within As approved this the 25th pay of form the control of th



PRESENTED TO THE GOVERNOR

APR 2 7 2005

Time 250