

2012 SESSION

INTRODUCED

12102326D

SENATE BILL NO. 150

Offered January 11, 2012

Prefiled January 10, 2012

A BILL to amend and reenact § 55-154.2 of the Code of Virginia, relating to the presumption regarding the estate of the owner of mineral rights.

Patron—Puckett

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 55-154.2 of the Code of Virginia is amended and reenacted as follows:

§ 55-154.2. Presumption regarding estate of owner of mineral rights.

Except as otherwise provided in the deed by which the owner of minerals derives title, the owner of minerals shall be presumed to be the owner of the shell, container chamber, passage, and space opened underground for the removal of the minerals, with full right to haul and transport minerals, *coal, gas, and oil* from other lands and to pass men, materials, equipment, water, and air through such space. No injunction shall lie to prohibit the use of any such shell, container chamber, passage, or space opened underground by the owner of minerals for the purposes herein described. The provisions of this section shall not affect contractual obligations and agreements entered into prior to July 1, 1981.

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