

**E N R O L L E D**

**H. B. 2726**

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(BY DELEGATE(S) SHOTT, FOLK, OVERINGTON,  
SPONAUGLE, AZINGER, DEEM AND WAXMAN)

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[Passed March 3, 2015; in effect July 1, 2015.]

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AN ACT to amend and reenact §55-8-16 of the Code of West Virginia, 1931, as amended, relating to choice of law in product liability actions; and establishing the effective date of the amendments enacted in 2015.

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

That §55-8-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 8. ACTIONS ON CONTRACTS.**

**§55-8-16. Choice of law in product liability actions.**

1       (a) It is public policy of this state that, in determining the  
2 law applicable to a product liability claim brought by a  
3 nonresident of this state against the manufacturer or distributor  
4 of a prescription drug or other product, all liability claims at  
5 issue shall be governed solely by the product liability law of the  
6 place of injury (“lex loci delicti”).

7       (b) The amendments to this section enacted in 2015 shall be  
8 applicable prospectively to all civil actions commenced on or  
9 after July 1, 2015.

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

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect July 1, 2015.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within \_\_\_\_\_ this the \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
*Governor*

