

SB489

FILED

2015 MAR 24 P 5:09

WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE

OFFICE OF THE
SECRETARY OF STATE

REGULAR SESSION, 2015



ENROLLED

Senate Bill No. 489

(BY SENATOR CARMICHAEL)

[PASSED MARCH 10, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

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Senate Bill No. 489

OFFICE WEST VIRGINIA
SECRETARY OF STATE

(BY SENATOR CARMICHAEL)

[Passed March 10, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §55-2-6a of the Code of West Virginia, 1931, as amended, relating to extending certain existing limits on the filing of civil actions to those actions arising from the actual surveying of real property.

Be it enacted by the Legislature of West Virginia:

That §55-2-6a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. LIMITATION OF ACTIONS AND SUITS.

§55-2-6a. Deficiencies, injuries or wrongful death resulting from any improvements to or survey of real property; limitation of actions and suits.

1 No action, whether in contract or in tort, for indemnity or
2 otherwise, nor any action for contribution or indemnity to
3 recover damages for any deficiency in the planning, design,
4 surveying, observation or supervision of any construction or
5 the actual construction of any improvement to real property,
6 or the actual surveying of real property, or, to recover

7 damages for any injury to real or personal property, or, for an
8 injury to a person or for bodily injury or wrongful death
9 arising out of the defective or unsafe condition of any
10 improvement to real property, or the survey of real property,
11 may be brought more than ten years after the performance or
12 furnishing of the services or construction. However, the
13 above period is tolled according to section twenty-one of this
14 article. The period of limitation provided in this section does
15 not commence until the improvement to the real property, or
16 the survey of the real property in question has been occupied
17 or accepted by the owner of the real property, whichever
18 occurs first.

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


Chairman Senate Committee

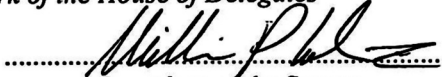

Chairman House Committee

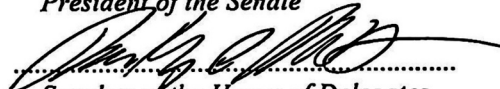
Originated in the Senate.

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 24th
Day of March, 2015.


Governor

PRESENTED TO THE GOVERNOR

MAR 16 2015

Time 10:46 AM