

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2697

2015 Carryover

(BY DELEGATES FAST, KESSINGER, KURCABA AND
ARVON)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §46A-6-109a, relating to allowing a home improvement transaction to be
 3 performed under an oral contract.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §46A-6-109a, to read as follows:

ARTICLE 6. GENERAL CONSUMER PROTECTION.

§46A-6-109a. Failure to provide written contract not unfair or deceptive act.

1 Notwithstanding any other provision of this code to the contrary and notwithstanding the
 2 provisions of Attorney General rule §142-5-3, it is not an unfair or deceptive practice to have an
 3 oral contract to perform any home improvement transaction. The Attorney General shall amend
 4 its rules to comply with this section.

NOTE: The purpose of this bill is to allow an oral contract to be used to perform any home improvement transaction.

This section is new; therefore, it has been completely underscored.