

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

Senate Bill 192

BY SENATOR WELD

[Originating in the Committee on the Judiciary;
reported on March 13, 2017]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §37-12-3, relating generally to licensed surveyors; and providing that licensed
3 surveyors may not be held liable for defamation or slander of title while performing their
4 professional duties, except in cases of professional negligence, incompetence, malicious
5 intent, fraud or deceit.

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 §37-12-3, to read as follows:

ARTICLE 12. SURVEYORS.

§37-12-3. Qualified privilege.

1 A licensed surveyor performing professional duties within the scope of his or her practice,
2 as defined in section ten, article thirteen-a, chapter thirty of this code, may not be held liable for
3 defamation or slander of title while performing his or her professional duties, except in cases of
4 professional negligence, incompetence, malicious intent, fraud or deceit.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.