

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Enrolled

Senate Bill 539

BY SENATORS TRUMP, STOLLINGS, AND WOELFEL

[Passed March 5, 2018; in effect 90 days from passage]

1 AN ACT to amend and reenact §14-2-17a of the Code of West Virginia, 1931, as amended,
2 relating to increasing the limit for settling claims against the Division of Highways under
3 the shortened procedure for road condition claims.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CLAIMS AGAINST THE STATE.

§14-2-17a. Shortened procedure for road condition claims.

1 Notwithstanding the regular and shortened procedures provided for in §14-2-16 and §14-
2 2-17 of this code, there shall be a shortened procedure for road condition claims. The shortened
3 procedure authorized by this section shall apply only to a claim possessing all of the following
4 characteristics:

- 5 (1) The claim does not arise under an appropriation for the current fiscal year.
- 6 (2) The claim alleges that a condition on the state's highways or roads caused property
7 damage.
- 8 (3) The Division of Highways concurs in the claim.
- 9 (4) The amount claimed does not exceed \$3,000.

10 The Division of Highways shall prepare a stipulation concerning the claim and file it with
11 the clerk. The commission shall order the claim approved and shall file its statement with the clerk.

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

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2018.

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Governor