

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 677

BY SENATOR MAYNARD

[Introduced January 31, 2020; referred
to the Committee on Judiciary; and then to the
Committee on Finance]

1 A BILL to amend and reenact §14-2-13 of the Code of West Virginia, 1931, as amended, relating
 2 to expanding the jurisdiction of the Legislative Claims Commission to include claims for
 3 property damage caused by certain wildlife.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CLAIMS AGAINST THE STATE.

§14-2-13. Jurisdiction of the commission.

1 The jurisdiction of the commission, except for the claims excluded by §14-2-14 of this
 2 code, shall extend to the following matters:

3 (1) Claims and demands, liquidated and unliquidated, ex contractu and ex delicto, against
 4 the state or any of its agencies, which the state as a sovereign commonwealth should in equity
 5 and good conscience discharge and pay; ~~and~~

6 (2) Claims and demands against the state for damage to real or personal property caused
 7 by any wildlife that is subject to hunting and trapping pursuant to regulation by the Division of
 8 Natural Resources and which the state as a sovereign commonwealth should in equity and good
 9 conscience discharge and pay; and

10 ~~(2)~~ (3) Claims and demands, liquidated and unliquidated, ex contractu and ex delicto,
 11 which may be asserted in the nature of set-off or counterclaim on the part of the state or any state
 12 agency.

NOTE: The purpose of this bill is to give the Legislative Claims Commission the jurisdiction to hear claims and determine awards for property damage resulting from wildlife that is regulated by the state.

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