WEST virginia legislature

2024 regular session

Introduced

House Bill 4940

By Delegates Crouse, Lucas, Winzenreid, Petitto, and Smith

[Introduced January 19, 2024; Referred to the Committee on the Judiciary]

A BILL to amend and reenact §55-2-1 of the Code of West Virginia, 1931, as amended, relating to clarifying that squatters are not considered tenants, and are illegally occupying property.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LIMITATION OF ACTIONS AND SUITS.

§55-2-1. Entry upon or recovery of lands; squatting prohibited.

(a) No person shall make an entry on, or bring an action to recover, any land, but within 10 years next after the time at which the right to make such entry or to bring such action shall have first accrued to himself or herself or to some person through whom he or she claims.

**(b) Notwithstanding the provisions of subsection (a), squatting, otherwise known as occupying an abandoned or unused property without the owner’s permission, is prohibited. Squatters are not considered tenants for purposes of this code.**

NOTE: The purpose of this bill is to prohibit squatting, and to clarify that squatters are not considered tenants.

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