

RECEIVED

MAY 2 4 33 PM '73

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

—●—

ENROLLED

HOUSE BILL No. 567

(By Mr. Harman)

—●—

PASSED April 14 **1973**

In Effect From **Passage**



C 641

FILED IN THE OFFICE

EDGAR F. HENIGRELL III

SECRETARY OF STATE

THIS DATE 5/2/73

567

ENROLLED

House Bill No. 567

(By MR. HARMAN)

[Passed April 14, 1973; in effect from passage.]

AN ACT to amend and reenact section one, article three, chapter two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to full legal capacity of persons eighteen years of age to conduct or deal in their own affairs, but providing certain savings or limiting provisions.

Be it enacted by the Legislature of West Virginia:

That section one, article three, chapter two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. LEGAL CAPACITY.

§2-3-1. Legal capacity; saving provisions.

1 On and after June nine, one thousand nine hundred seventy-
2 two, except as otherwise specifically provided in this code, no
3 person who is eighteen years of age or older shall lack legal
4 capacity, by reason of his age, to enter into contracts, sell or
5 purchase real or personal property, create a lien, execute any
6 legal or other written instrument, prosecute or defend legal
7 actions, assert claims or deal in his own affairs in any manner
8 whatsoever.

9 The provisions of this section, and the provisions of chapter
10 sixty-one, acts of the Legislature, regular session, one thousand

11 nine hundred seventy-two, reducing various prescribed age re-
12 quirements to eighteen years of age, shall not, however, by
13 operation of law affect any rights, duties, obligations or in-
14 terests accruing or vesting by virtue of any statute, act, event,
15 transaction, order, judgment or decree prior to June nine, one
16 thousand nine hundred seventy-two, or any cause of action
17 which arose or any civil action or claim instituted or asserted
18 prior to such date, and any such right, duty, obligation, interest,
19 cause of action, civil action or claim may be enforced, exercised,
20 enjoyed, terminated, discharged, consummated, prosecuted,
21 maintained or asserted with like effect as if said chapter sixty-
22 one had not been enacted: *Provided*, That any person who
23 has attained the age of eighteen years shall have full power and
24 authority to exercise any and all of the rights, privileges and
25 powers granted to him in the first paragraph of this section
26 with respect to any legal or equitable interest acquired by or
27 which vested in such person before he became eighteen years
28 of age: *Provided, however*, That under no circumstances what-
29 ever shall any of the changes made by said chapter sixty-one
30 have any effect upon any of the terms or provisions of or any
31 conditions imposed by any last will and testament, trust agree-
32 ment or any other written instrument of any kind or character
33 executed prior to such date of June nine, one thousand nine
34 hundred seventy-two. Moreover, the provisions of this section
35 shall not affect any acts performed or transactions entered into
36 by a person under the age of twenty-one years prior to June
37 nine, one thousand nine hundred seventy-two. No change in
38 the general age of legal capacity or in the definitions of the
39 words 'under disability,' 'infant' or 'minor' contained in section
40 ten, article two of this chapter shall alter any statute of limita-
41 tions as to causes of action arising before such date of June
42 nine, one thousand nine hundred seventy-two.

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

W. Darrel Darby
Chairman Senate Committee

Clarence C. Christians Jr.
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard W. Carson
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

H. C. Brotherton
President of the Senate

Lewis J. McNamee
Speaker House of Delegates

The within approved this the 24th
April, 1973.
day of _____

Arch A. Moore Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 4/24/73

Time 2:34 p.m.