WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 37

(By Mr. HARMON)

PASSED Feb 24, 1959

In Effect 90 Days from Passage

Filed in Office of the Secretary of State of West Virginia MAR 5 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section two, article seven-a, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to action against parent for malicious or wilful destruction of property by a minor under the age of eighteen years.

Be it enacted by the Legislature of West Virginia:

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

Section 2. Parent Liability for Damages for Wilful or Malicious Destruction of Property by a Minor.—The state of West Virginia, any municipal corporation, county, school board, or other political subdivision of the state, or any person or organization of any kind or character, shall be entitled to recover damages in an amount not to exceed three hundred dollars in any justice of the
peace or other court of competent jurisdiction from the
parent or parents of any minor under the age of eighteen
years, living with the parent or parents, who shall malici-
siously or wilfully destroy property, real, personal or
mixed or who shall maliciously or wilfully set fire to
any forest or wooded area belonging to the state, any
municipal corporation, county, school board or other
political subdivision of the state, or any person or or-
ganization of any kind or character. The recovery here-
under shall be limited to the actual damages in addition
to taxable court costs. The form of action hereunder
shall be an action for a wrong in justice of the peace
court and in trespass on the case in other courts of compe-
tent jurisdiction: Provided, however, That the right of
action and remedy therefor granted herein shall be in
addition to and not exclusive of any rights of action and
remedies therefor against a parent or parents for the
tortious acts of his or their children heretofore existing
under the provisions of any law, statutory or otherwise,
or now so existing independently of the provisions of this
statute.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approvethis the 5th day of May, 1959.