

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

188

ENROLLED

SENATE BILL NO. 188

(By Mr. Comm. Sub. for)

PASSED March 11th.....1961

In Effect. from.....

Passage

Filed in Office of the Secretary of State
of West Virginia MAR 17 1961

JOE F. BURDET
SECRETARY OF STATE

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 188

(Originating in the Committee on the Judiciary)

[Passed March 11, 1961; in effect from passage.]

AN ACT to amend article two, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section designated section twenty-one, relating to the tolling of statutes of limitation with respect to certain actions and claims.

Be it enacted by the Legislature of West Virginia:

That article two, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be

amended by adding thereto a new section designated section twenty-one, to read as follows:

Section 21. *When Running of Statutes of Limitation*
2 *Shall Be Tolloed As To Certain Actions and Claims.*—After
3 a civil action is commenced or a claim is asserted therein,
4 the running of any statute of limitation shall be tolled as
5 to any claim which the party against whom a claim has
6 been asserted may assert, or be permitted by the court to
7 assert, in the action against another person who is, or may
8 be, liable to him for all or any part of the claim which was
9 originally asserted against the party in the action. The
10 running of any statute of limitation on any such claim
11 shall be tolled so long as the claim originally asserted
12 remains pending in the action.

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

Harold Davis, 2nd
Chairman Senate Committee

Mrs. H. H. Withrow
Chairman House Committee

Originated in the Senate.

Takes effect *from* passage.

Harold Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Singleton, Jr.
Speaker House of Delegates

The within *approved* this the *17th*
day of *March*, 1961.

W. Bann
Governor



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of West Virginia MAR 17 1961
JOE E. BUNDETT
SECRETARY OF STATE