WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED

HOUSE BILL No. 1033

(By Mr. [Signature], Mr. [Signature], and Mr. [Signature])

PASSED [Signature] March 8, 1969

In Effect [Signature] Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-22-69
AN ACT to amend and reenact section seven, article one,
chapter thirty-five of the code of West Virginia, one thou-
sand nine hundred thirty-one, as amended, relating to
trustees taking and holding property and providing that
in the absence of gross negligence a trustee shall not be
personally liable for any tort arising from or growing out
of the ownership of property as a trustee.

Be it enacted by the Legislature of West Virginia:

That section seven, article one, chapter thirty-five of the
code of West Virginia, one thousand nine hundred thirty-one,
as amended, be amended and reenacted to read as follows:
ARTICLE 1. RELIGIOUS ORGANIZATIONS.

§35-1-7. Trustees for real and personal property—May take and hold property.

The trustee or trustees of any church, religious sect, society or denomination, or of any individual church, parish, congregation or branch, within this state, shall have power to receive donations, gifts and bequests of personal property, and, subject to the limitations of section eight of this article, to take by devise, conveyance or dedication or to purchase and to hold, real property, in trust for such church, religious sect, society or denomination, or for any individual church, parish, congregation or branch; and in their own name or names to sue or be sued in all proper actions and suits, for or on account of the real or personal property so held or claimed, and for and on account of any matters relating thereto: Provided, That, in the absence of gross negligence, no trustee shall be personally liable for any tort arising from or growing out of the ownership of property as a trustee and no such action or suit shall abate because of the death, removal or resignation of any trustee, or the appointment of another trustee, but may be proceeded with in the
name of the trustee or trustees by or against whom it was
instituted, or in the name of the succeeding trustee or
trustees. The trustee or trustees shall be accountable to
that church, religious sect, society, or denomination, or
to that individual church, parish, congregation or branch,
for which he or they hold in trust, for the use and man-
agement of such property, and shall surrender it to any
person or persons authorized to demand it.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompsett
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Herman Hughes
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Lloyd E. Jackson
President of the Senate

Ivor T. Graff
Speaker House of Delegates

The within... approved... this the 14th...
day of...... March............., 1969.

Arch A. Thomas, Jr.
Governor
PRESENTED TO THE GOVERNOR

Date 3/12/69
Time 2:45 P.M.