WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

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ENROLLED

HOUSE BILL No. 567

(By Mr. ____________)

PASSED April 14, 1973
In Effect _________ Passage

FILED IN THE OFFICE
EDGAR E. NECHBELL III
SECRETARY OF STATE
THIS DATE 5/2/73

C 641
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-two, except as otherwise specifically provided in this code, no person who is eighteen years of age or older shall lack legal capacity, by reason of his age, to enter into contracts, sell or purchase real or personal property, create a lien, execute any legal or other written instrument, prosecute or defend legal actions, assert claims or deal in his own affairs in any manner whatsoever.

9 The provisions of this section, and the provisions of chapter sixty-one, acts of the Legislature, regular session, one thousand
nine hundred seventy-two, reducing various prescribed age re-
quirements to eighteen years of age, shall not, however, by
operation of law affect any rights, duties, obligations or in-
terests accruing or vesting by virtue of any statute, act, event,
transaction, order, judgment or decree prior to June nine, one
thousand nine hundred seventy-two, or any cause of action
which arose or any civil action or claim instituted or asserted
prior to such date, and any such right, duty, obligation, interest,
cause of action, civil action or claim may be enforced, exercised,
enjoyed, terminated, discharged, consummated, prosecuted,
maintained or asserted with like effect as if said chapter sixty-
one had not been enacted: Provided, That any person who
has attained the age of eighteen years shall have full power and
authority to exercise any and all of the rights, privileges and
powers granted to him in the first paragraph of this section
with respect to any legal or equitable interest acquired by or
which vested in such person before he became eighteen years
of age: Provided, however, That under no circumstances what-
ever shall any of the changes made by said chapter sixty-one
have any effect upon any of the terms or provisions of or any
conditions imposed by any last will and testament, trust agree-
ment or any other written instrument of any kind or character
executed prior to such date of June nine, one thousand nine
hundred seventy-two. Moreover, the provisions of this section
shall not affect any acts performed or transactions entered into
by a person under the age of twenty-one years prior to June
nine, one thousand nine hundred seventy-two. No change in
the general age of legal capacity or in the definitions of the
words 'under disability,' 'infant' or 'minor' contained in section
ten, article two of this chapter shall alter any statute of limita-
tions as to causes of action arising before such date of June
nine, one thousand nine hundred seventy-two.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

N. Darrel Darcy  
Chairman Senate Committee

Clarence K. Christiansen  
Chairman House Committee

Originated in the House.  
Takes effect from passage.

Howard W. Casson  
Clerk of the Senate

C.A. Blankenship  
Clerk of the House of Delegates

W. B. Adair  
President of the Senate

Lewis H. Ramseur  
Speaker House of Delegates

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

And A. Shaver  
Governor
PRESENTED TO THE GOVERNOR

Date 4/24/73

Time 2:34 p.m.