ENROLLED

House Bill No. 4033

(By Delegate Staton)

Passed March 11, 2000

In Effect Ninety Days from Passage
ENROLLED
H. B. 4033
(BY DELEGATE STATON)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend article one, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section sixteen, relating to the time for commencement of civil and criminal enforcement proceedings under environmental statutes.

Be it enacted by the Legislature of West Virginia:

That article one, chapter twenty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section sixteen, to read as follows:

ARTICLE 1. DIVISION OF ENVIRONMENTAL PROTECTION.

§22-1-16. Time for commencing proceedings.

1 Notwithstanding any provision of this code to the contrary, 2 no action, suit or proceeding for the administrative, civil or 3 criminal enforcement of any provision of this chapter may be
entertained unless commenced within three years from the date
the right to bring the action, suit or proceeding has accrued. The
limitation of this section applies, but is not limited to, actions,
suits or proceedings for the recovery of any fine, penalty or
forfeiture, pecuniary or otherwise. This section does not apply
to the enforcement of any provision when the violation is part
of a continuing violation and the last act of the continuing
violation occurred within three years from the date of the
commencement of the enforcement action.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 3/5

day of March 2000.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/27/00
Time 3:05 pm.