

FILED

2004 APR -7 P 5:17

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004



# SECOND ENROLLMENT

## House Bill No. 4308

(By Delegates Leach, Michael, Perdue and Susman)



Passed March 21, 2004

In Effect Ninety Days from Passage

FILED

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SECRETARY OF STATE

**S E C O N D  
E N R O L L M E N T**

**H. B. 4308**

(BY DELEGATES LEACH, MICHAEL, PERDUE AND SUSMAN)

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[Amended and Again Passed March 21, 2004, as a Result of the Objections  
of the Governor; in Effect Ninety Days from Passage.]

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AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-11A-3a, relating to providing immunity from civil damages to a worker, contractor, engineer or architect, who in good faith provides services or materials, without remuneration, to build or install certain handicap accessibility features in accordance with applicable building codes and state and federal laws.

*Be it enacted by the Legislature of West Virginia:*

That the code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §5-11A-3a, to read as follows:

**ARTICLE 11A. WEST VIRGINIA FAIR HOUSING ACT.**

**§5-11A-3a. Volunteer services or materials to build or install universal accessibility features; workers, contractors, engineers, architects; immunity from civil liability.**

1       Any person, including a worker, contractor, engineer or  
2 architect, who in good faith provides services or materials,  
3 without remuneration, to build or install handicap accessible  
4 features as set forth in section five of this article, may not be  
5 liable for any civil damages as the result of any act or omission  
6 in providing such services or materials: *Provided*, That the  
7 universal accessible feature or features shall be built or con-  
8 structed in accordance with applicable state and federal laws  
9 and applicable building codes.

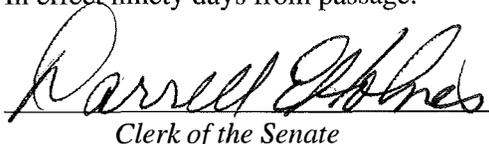
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

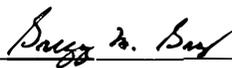
  
Chairman Senate Committee

  
Chairman House Committee

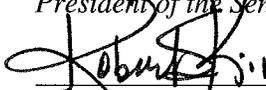
Originating in the House.

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 is approved this the 7<sup>th</sup>  
day of April, 2004.

  
Governor

PRESENTED TO THE

GOVERNOR

DATE 4-1-04

TIME 4:35 pm