WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2015

ENROLLED
Senate Bill No. 489
(By Senator Carmichael)

[Passed March 10, 2015; in effect ninety days from passage.]
AN ACT to amend and reenact §55-2-6a of the Code of West Virginia, 1931, as amended, relating to extending certain existing limits on the filing of civil actions to those actions arising from the actual surveying of real property.

Be it enacted by the Legislature of West Virginia:

That §55-2-6a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. LIMITATION OF ACTIONS AND SUITS.

§55-2-6a. Deficiencies, injuries or wrongful death resulting from any improvements to or survey of real property; limitation of actions and suits.

No action, whether in contract or in tort, for indemnity or otherwise, nor any action for contribution or indemnity to recover damages for any deficiency in the planning, design, surveying, observation or supervision of any construction or the actual construction of any improvement to real property, or, to recover
damages for any injury to real or personal property, or, for an
injury to a person or for bodily injury or wrongful death
arising out of the defective or unsafe condition of any
improvement to real property, or the survey of real property,
may be brought more than ten years after the performance or
furnishing of the services or construction. However, the
above period is tolled according to section twenty-one of this
article. The period of limitation provided in this section does
not commence until the improvement to the real property, or
the survey of the real property in question has been occupied
or accepted by the owner of the real property, whichever
occurs first.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

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 24th Day of March, 2015.

Governor
PRESENTED TO THE GOVERNOR

MAR 16 2015

Time: 10:46 AM