Committee Substitute
for
House Bill 2797

BY DELEGATES O’NEAL, SHOTT, HANSHAW, SOBONYA,
KESSINGER, N. FOSTER, G. FOSTER AND OVERINGTON

[Passed April 6, 2017; 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 §SA-8-23, relating to codifying statutory immunity for government agencies and officials from actions of third-parties using documents or records of governmental agencies for unlawful acts.

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 §SA-8-23, to read as follows:

ARTICLE 8. PUBLIC RECORDS MANAGEMENT AND PRESERVATION ACT

§5A-8-23. Limitation of liability.

This article creates no liability upon any person acting in his or her capacity as a state officer, employee, or retiree or former employee of the State of West Virginia; or upon the legal dependents, heirs and assignees of any such person; nor, upon any agency of the executive, legislative, or judicial branch of government of the State of West Virginia, for any transaction which is compromised by any third party's illegal act or inappropriate use associated with information regulated by this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved... this the 14th... day of... April... 2017.

Governor
PRESENTED TO THE GOVERNOR

APR 11 2017

Time 9:22 am