

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

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.]

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2017 APR 14 A 11:41

FILED

HB 2797

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

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.]

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2017 APR 14 A 11:41

FILED

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §5A-8-23, relating to codifying statutory immunity for government agencies
3 and officials from actions of third-parties using documents or records of governmental
4 agencies for unlawful acts.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §5A-8-23, to read as follows:


ARTICLE 8. PUBLIC RECORDS MANAGEMENT AND PRESERVATION ACT

§5A-8-23. Limitation of liability.

1 This article creates no liability upon any person acting in his or her capacity as a state
2 officer, employee, or retiree or former employee of the State of West Virginia; or upon the legal
3 dependents, heirs and assignees of any such person; nor, upon any agency of the executive,
4 legislative, or judicial branch of government of the State of West Virginia, for any transaction which
5 is compromised by any third party's illegal act or inappropriate use associated with information
6 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

FILED
2017 APR 14 A 11:41
OFFICE WEST VIRGINIA
SECRETARY OF STATE

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


.....
Governor

PRESENTED TO THE GOVERNOR

APR 11 2017

Time 9:22am