

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

House Bill 4559

FILED
MAR 25 11:30 AM '20
CLERK OF HOUSE OF DELEGATES
STATE HOUSE
MARTINSBURG, W. VA.

BY DELEGATES SHOTT, BYRD, PUSHKIN, S. BROWN,

FAST, STEELE AND N. BROWN

[Passed March 3, 2020; in effect ninety days from
passage.]

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OFFICE OF THE CLERK
LEGISLATIVE SERVICES
STATE HOUSE
CHARLESTON, WV 25304

2020 MAR 25 P 4:46

FILED

1 AN ACT to amend and reenact §55-2-15 of the Code of West Virginia, 1931, as amended, relating
2 to extending the limitation on civil actions against the perpetrator of sexual assault or
3 sexual abuse upon a minor; adding any person or organization which aided, abetted, or
4 concealed the sexual assault or abuse to the extended statute of limitations; allowing
5 victims to initiate actions for sexual assault or sexual abuse against perpetrators only
6 within four years of discovery regardless of age; and clarifying effect of 2020 amendments
7 as to possible actions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LIMITATIONS OF ACTIONS AND SUITS.

§55-2-15. Special and general savings as to persons under disability.

1 (a) A personal action for damages resulting from sexual assault or sexual abuse of a
2 person who was an infant at the time of the act or acts alleged, shall be brought against the
3 perpetrator of the sexual assault or sexual abuse, within 18 years after reaching the age of
4 majority, or within four years after discovery of the sexual assault or sexual abuse, whichever is
5 longer. A personal action for damages resulting from sexual assault or sexual abuse of a person
6 who was an infant at the time of the act or acts alleged shall be brought against a person or entity
7 which aided, abetted, or concealed the sexual assault or sexual abuse within 18 years after
8 reaching the age of majority.

9 (b) If any person to whom the right accrues to bring any personal action other than an
10 action described in subsection (a) of this section, suit, or scire facias, or any bill to repeal a grant,
11 shall be, at the time the same accrues, an infant or insane, the same may be brought within the
12 like number of years after his or her becoming of full age or sane that is allowed to a person
13 having no such impediment to bring the same after the right accrues, or after such
14 acknowledgment as is mentioned in §55-2-8 of this code, except that it shall in no case be brought
15 after 20 years from the time when the right accrues.

16 (c) The amendments to this section enacted during the 2020 Regular Session of the
17 Legislature are intended to extend the statute of limitations for all actions whether or not an earlier
18 established period of limitation has expired.

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

Noel Lopez
.....
Chairman, House Committee

Mark Elway
.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

FILED
2020 MAR 25 PM 4:46
LEGISLATIVE CLERK

Steve Harris
.....
Clerk of the House of Delegates

Joe Lanni
.....
Clerk of the Senate

Ray Hunter
.....
Speaker of the House of Delegates

Walter B. Pinnell
.....
President of the Senate

The within *is approved* this the *25th*
day of *March* 2020.

James L. Hunt
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 12 2020

Time 2:30 pm