

H. B. 2489

(By Delegates Michael, Staggers, Morgan and Crosier)
[Introduced January 14, 2011; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §37-12-3, relating to
exempting licensed surveyors from liability for defamation or
slander of title when performing their professional duties;
and providing an exception.

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 §37-12-3, to read as
follows:

ARTICLE 12. SURVEYORS.

§37-12-3. Qualified privilege.

As professional surveying provides for the evaluation and
interpretation of evidence and information concerning properties
and common boundaries that may be, or may become, in dispute,

1 licensed surveyors may not, except in cases of malicious intent, be
2 held liable for defamation or slander of title while performing
3 their professional duties.

NOTE: The purpose of this bill is to exempt licensed surveyors from liability for defamation or slander of title when performing their professional duties. The bill also provides an exception in the case of malicious intent.

This section is new; therefore, it has been completely underscored.