2012R1269A

1	H. B. 4639
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3	(By Delegate Manypenny)
4	[Introduced February 20, 2012; referred to the
5	Committee on the Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated $\$55-7-27$, relating to
12	prohibiting provisions in agreements to settle litigation if
13	the information could have an adverse impact on the health,
14	safety or well being of the public or the environment.
15	Be it enacted by the Legislature of West Virginia:
16	That the Code of West Virginia, 1931, as amended, be amended
17	by adding thereto a new section, designated $\$55-7-27$, to read as
18	follows:
19	ARTICLE 7. ACTIONS FOR INJURIES.
20	<u>§55-7-27. Confidentiality agreements; public policy.</u>
21	Confidentiality provisions when included in settlement
22	agreements to settle litigation or potential ligation in an action
23	involving an injury to either a person or an interest in real

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1 property are against public policy insofar as they seek to prohibit 2 the disclosure of information that has an adverse affect, or has 3 the potential to have an adverse effect, on either the health, 4 safety or the well being of the public or the environment and may 5 not be included in any agreement to settle or avoid litigation.

NOTE: The purpose of the bill is to prohibit provisions in agreements to settle litigation if the information could have an adverse impact on the health, safety or well being of the public or the environment.

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