H. B. 2791

(By Delegates Staggers, Longstreth, Williams, White and Perdue)

[Introduced March 1, 2013; 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.

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. Therefore, licensed surveyors may not be held liable for defamation or slander of title while performing their professional duties,

1 <u>except in cases of malicious intent.</u>

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

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