

H. B. 2697

(By Delegates Fast, Kessinger, Kurcaba and Arvon)

[Introduced February 11, 2015; 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 §46A-6-109a, relating to allowing a home improvement transaction to be performed under an oral contract.

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 §46A-6-109a, to read as follows:

ARTICLE 6. GENERAL CONSUMER PROTECTION.

§46A-6-109a. Failure to provide written contract not unfair or deceptive act.

Notwithstanding any other provision of this code to the contrary and notwithstanding the provisions of Attorney General rule §142-5-3, it is not an unfair or deceptive practice to have an oral contract to perform any home improvement transaction. The Attorney General shall amend its rules to comply with this section.

NOTE: The purpose of this bill is to allow an oral contract to be used to perform any home improvement transaction.

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