

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 295

BY SENATOR TRUMP

[Introduced January 14, 2016; referred to the
Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §55-7-30, relating to abolishing the tort of outrage.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §55-7-30, to read as follows:

ARTICLE 7. ACTIONS FOR INJURIES.

§55-7-30. Tort of outrage abolished.

1 To the extent that the tort of outrage is a separate tort from the tort of intentional infliction
2 of emotional distress, the tort of outrage is hereby abolished in the State of West Virginia:
3 Provided, That nothing in this section shall limit the ability for a plaintiff to recover under the tort
4 of intentional infliction of emotional distress.

NOTE: The purpose of this bill is to abolish the tort of outrage.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.