

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

ENROLLED

House Bill 2605

2015 Carryover

(BY DELEGATES MOORE, HORNBUCKLE AND SHOTT)

[Passed March 12, 2016; in effect ninety days from
passage.]

1 A Bill to amend and reenact §55-2-15 of the Code of West Virginia, 1931, as amended, relating
2 generally to limitations on civil actions accruing to persons under legal disability; and
3 establishing the limitation on actions against the perpetrator of sexual assault or sexual
4 abuse upon a minor to be four years upon reaching the age of majority or four years upon
5 discovery of the sexual assault or sexual abuse, whichever is longer.

Be it enacted by the Legislature of West Virginia:

1 That §55-2-15 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 2. LIMITATION OF ACTIONS AND SUITS.

§55-2-15. Special and general savings as to persons under disability.

1 (a) A personal action for damages resulting from sexual assault or sexual abuse
2 of a person who was an infant at the time of the act or acts alleged, shall be brought
3 against the perpetrator of the sexual assault or abuse within four years after reaching the
4 age of majority or within four years after discovery of the sexual assault or sexual abuse,
5 whichever is longer.

6 (b) If any person to whom the right accrues to bring any personal action other than
7 an action described in subsection (a) of this section, suit or scire facias, or any bill to
8 repeal a grant, shall be, at the time the same accrues, an infant or insane, the same may
9 be brought within the like number of years after his or her becoming of full age or sane
10 that is allowed to a person having no such impediment to bring the same after the right
11 accrues, or after such acknowledgment as is mentioned in section eight of this article,
12 except that it shall in no case be brought after twenty years from the time when the right
13 accrues.