

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 2750**

**2015 Carryover**

(BY DELEGATES CANTERBURY, WALTERS, A. EVANS,  
FAIRCLOTH, ROMINE, AMBLER, COOPER, BORDER AND  
IHLE)

[Introduced January 13, 2016; referred to the  
Committee on the Judiciary.]

1 A BILL to repeal §55-2-3 of the Code of West Virginia, 1931, as amended; and to amend and  
2 reenact §55-2-1 of said code, all relating to abolishing the adverse possession of land.

*Be it enacted by the Legislature of West Virginia:*

1 That §55-2-3 of the Code of West Virginia, 1931, as amended, be repealed; and that §55-  
2 2-1 of said code be amended and reenacted, all to read as follows:

**ARTICLE 2. LIMITATION OF ACTIONS AND SUITS.**

**§55-2-1. Entry upon or recovery of lands.**

1 ~~No person shall make an entry on, or bring an action to recover, any land, but within ten~~  
2 ~~years next after the time at which the right to make such entry or to bring such action shall have~~  
3 ~~first accrued to himself or to some person through whom he claims.~~

4 (a) A person may make an entry on, or an action to recover, any land at any time.

5 (b) The doctrine and law of adverse possession is abolished in West Virginia.

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NOTE: The purpose of this bill is to abolish adverse possession in West Virginia.

§55-2-3 is repealed.

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