

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 192

BY SENATOR WELD

[Introduced February 8, 2017; 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 §37-12-3, relating to exempting licensed surveyors from liability for defamation
 3 or slander of title when performing their professional duties; and providing an exception.

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 §37-12-3, to read as follows:

ARTICLE 12. SURVEYORS.

§37-12-3. Qualified privilege.

1 As professional surveying provides for the evaluation and interpretation of evidence and
 2 information concerning properties and common boundaries that may be, or may become, in
 3 dispute, licensed surveyors may not be held liable for defamation or slander of title while
 4 performing their professional duties, except in cases of professional negligence, incompetence,
 5 malicious intent, fraud or deceit.

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.

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