

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**ENROLLED**

## **House Bill 4559**

BY DELEGATES SHOTT, BYRD, PUSHKIN, S. BROWN,

FAST, STEELE AND N. BROWN

[Passed March 3, 2020; in effect ninety days from  
passage.]



1 AN ACT to amend and reenact §55-2-15 of the Code of West Virginia, 1931, as amended, relating  
2 to extending the limitation on civil actions against the perpetrator of sexual assault or  
3 sexual abuse upon a minor; adding any person or organization which aided, abetted, or  
4 concealed the sexual assault or abuse to the extended statute of limitations; allowing  
5 victims to initiate actions for sexual assault or sexual abuse against perpetrators only  
6 within four years of discovery regardless of age; and clarifying effect of 2020 amendments  
7 as to possible actions.

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

**ARTICLE 2. LIMITATIONS 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 of a  
2 person who was an infant at the time of the act or acts alleged, shall be brought against the  
3 perpetrator of the sexual assault or sexual abuse, within 18 years after reaching the age of  
4 majority, or within four years after discovery of the sexual assault or sexual abuse, whichever is  
5 longer. A personal action for damages resulting from sexual assault or sexual abuse of a person  
6 who was an infant at the time of the act or acts alleged shall be brought against a person or entity  
7 which aided, abetted, or concealed the sexual assault or sexual abuse within 18 years after  
8 reaching the age of majority.

9 (b) If any person to whom the right accrues to bring any personal action other than an  
10 action described in subsection (a) of this section, suit, or scire facias, or any bill to repeal a grant,  
11 shall be, at the time the same accrues, an infant or insane, the same may be brought within the  
12 like number of years after his or her becoming of full age or sane that is allowed to a person  
13 having no such impediment to bring the same after the right accrues, or after such  
14 acknowledgment as is mentioned in §55-2-8 of this code, except that it shall in no case be brought  
15 after 20 years from the time when the right accrues.

16           (c) The amendments to this section enacted during the 2020 Regular Session of the  
17 Legislature are intended to extend the statute of limitations for all actions whether or not an earlier  
18 established period of limitation has expired.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2020.

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*Governor*