H. B. 4220 1 2 3 (By Delegates Staggers and Manchin ) [Introduced January 17, 2014; referred to the 4 5 Committee on the Judiciary.] 6 7 8 9 10 A BILL to amend the Code of West Virginia, 1931, as amended, by 11 adding thereto a new section, designated §46A-6-111, relating 12 to requiring all written agreements in which an individual 13 waives his or her right to a jury trial on certain claims 14 involving a death be a separate document from the remainder of 15 the written agreement. 16 Be it enacted by the Legislature of West Virginia: That the Code of West Virginia, 1931, as amended, be amended 18 by adding thereto a new section, designated §46A-6-111, to read as 19 follows: 20 ARTICLE 6. GENERAL CONSUMER PROTECTION. 21 §46A-6-111. Jury trial waiver to be a separate document. Every written agreement containing a waiver of a consumer's 22 23 right to a trial by jury on a claim involving a death that is

- 1 entered into by a consumer for the purchase or lease of goods or
- 2 services in consumer transactions, whether for the rental of space
- 3 to be occupied for residential purposes or for the sale of goods or
- 4 services for personal, family, household or agricultural purposes,
- 5 must have as a separate and standalone document the waiver of the
- 6 consumer's right to a trial by jury.

NOTE: The purpose of this bill is to require all written agreements that contain a waiver of a consumer's right to a trial by jury on a claim involving death to have the waiver form as a separate document from the rest of the written agreement.

This section is new; therefore, it has been completely underscored.