

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Committee Substitute

for

Senate Bill 772

SENATORS AZINGER, SMITH, SYPOLT, AND TRUMP,

original sponsors

[Originating in the Committee on the Judiciary;

reported on February 20, 2020]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §2-1-3, relating to clarifying that the Restatements of the Law and other legal
3 treatises are not controlling authority.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. COMMON LAW.

**§2-1-3. Clarifying that Restatements of the Law and other treatises are not controlling
authority.**

1 In any action governed by the laws of this state concerning rights and obligations under
2 the law, the Restatements of the Law and other legal treatises are not controlling authority.

NOTE: The purpose of this bill is to clarify that the Restatements of Law are not controlling authority.

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