

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4979**

By Delegates Ridenour, Adkins, Clay, Hillenbrand,  
Sheedy, Butler, T. Howell, Watt, Mazzocchi, Kimble,  
and White

[Introduced January 29, 2026; referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §56-3-2a of the Code West Virginia, 1931, as amended, and by  
2 adding a new section, designated §55-7-31, relating to reinstating the maintenance of  
3 civil actions for alienation of affection and criminal conversation.

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

## **CHAPTER 55. ACTIONS, SUITS AND ARBITRATION; JUDICIAL SALE.**

### **ARTICLE 7. ACTIONS FOR INJURIES.**

#### **§55-7-31. Actions for alienation of affections and criminal conversation permitted.**

1 (a) Notwithstanding any other provision of law to the contrary, a civil action may lie or be  
2 maintained in this state for alienation of affections, or, for criminal conversation, unless the civil  
3 action was instituted prior to the effective date of this section: *Provided*, That these claims may lie  
4 against a natural person, or, against a juridical person.

5 (b) No act of the defendant may give rise to a cause of action for alienation of affection or  
6 criminal conversation that occurs after the plaintiff and the plaintiff's spouse physically separate  
7 with the intent of either the plaintiff or plaintiff's spouse that the physical separation remain  
8 permanent.

9 (c) An action for alienation of affection or criminal conversation may not be commenced  
10 more than three years from the last act of the defendant giving rise to the cause of action.

## **CHAPTER 56. PLEADING AND PRACTICE.**

### **ARTICLE 3. WRITS, PROCESS AND ORDER OF PUBLICATION.**

#### **§56-3-2a. Actions for breach of promise to marry and for alienation of affections prohibited.**

1 Notwithstanding any other provision of law to the contrary, no civil action shall lie or be  
2 maintained in this state for breach of promise to marry or for alienation of affections, unless such  
3 the civil action was instituted prior to the effective date of this section March 6, 1969.

NOTE: The purpose of this bill is to reinstitute the maintenance of civil actions for alienation of affection and criminal conversation

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