WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED

SENATE BILL NO. 234

(By Mr. Hylton)

PASSED......................................................1969

In Effect........................................Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-14-69
AN ACT to amend chapter one hundred fifty-one, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, by adding thereto a new section, designated section twelve-a, and to constitute said chapter one hundred fifty-one, as so amended, article eleven-a, chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, said section twelve-a prohibiting the voluntary and unsolicited sending of goods, wares or merchandise and providing that the receipt of any such unsolicited goods, wares or merchandise shall for all purposes be deemed an unconditional gift to the recipient who may use or dispose of the same in any manner he sees fit without any obligation on his part to the sender.

Be it enacted by the Legislature of West Virginia:
That chapter one hundred fifty-one, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, be amended by adding thereto a new section, designated section twelve-a, and that said chapter one hundred fifty-one, as so amended, be and the same is hereby constituted article eleven-a, chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, said section twelve-a to read as follows:

ARTICLE 11A. UNFAIR TRADE PRACTICES.

§47-11A-12a. Unsolicited goods.

1 No person, firm, partnership, association or corporation, or agent or employee thereof, shall, in any manner, or by any means, offer for sale goods, wares or merchandise, where the offer includes the voluntary and unsolicited sending of goods, wares or merchandise not actually ordered or requested by the recipient, either orally or in writing. The receipt of any such unsolicited goods, wares or merchandise shall for all purposes be deemed an unconditional gift to the recipient who may use or dispose of the same in any manner he sees fit without any obligation on his part to the sender.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 12th day of March, 1969.

Governor