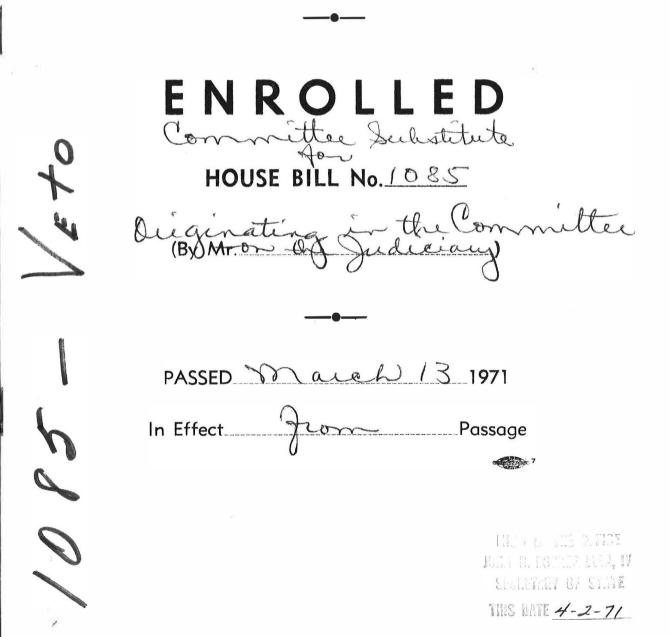
### WEST VIRGINIA LEGISLATURE

**REGULAR SESSION, 1971** 



#### ENROLLED

## FOR House Bill No. 1085

(Originating in the Committee on the Judiciary)

[Passed March 13, 1971; in effect from passage.]

AN ACT to amend article three, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six, relating to recoveries in multi-district or antitrust litigation by the attorney general on behalf of the state, its political subdivisions or its citizens.

Be it enacted by the Legislature of West Virginia:

That article three, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section six, to read as follows: Enr. Com. Sub. for H. B. No. 1085] 2

#### ARTICLE 3. ATTORNEY GENERAL.

#### §5-3-6. Multi-district or antitrust litigation.

1 In multi-district or antitrust litigation on behalf of the state of West Virginia, its political subdivisions or 2 its citizens, in which the attorney general has acted as 3 counsel, the recovery shall be paid over to the state of 4 5 West Virginia and five percent thereof placed in a separate account which shall be expended solely for the purpose 6 7 of prosecuting and maintaining multi-district or anti-8 trust litigation: Provided, That the total amount of all funds accumulated in said separate account pursuant to 9 10 the provisions of this section shall not at any time exceed the amount of fifty thousand dollars, and such shall be a 11 revolving fund account, the excess of all of which shall 12 13 automatically revert to the general revenue fund: And 14 provided further, That the funds in such separate account shall not in any event be used for the employment 15 of counsel who are not regularly employed staff members 16 17 of the attorney general's office except that in any litigation where states or political subdivisions other than the 18 19 state of West Virginia or its political subdivisions are

20 joined as parties along with the state of West Virginia or
21 its political subdivisions, other counsel may be paid from
22 such separate account. Recovery shall mean a judgment
23 or court approved settlement.

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

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect from passage, Clerk of the Senate

Clerk of the House of Delegates

E. Ha

President of the Senate

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Speaker House of Delegates

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Date 3/22/7/ Time 12 noon

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