

FILED

2010 JUN -3 PM 4: 59

**WEST VIRGINIA LEGISLATURE**  
SEVENTY-NINTH LEGISLATURE  
FIRST EXTRAORDINARY SESSION, 2010

**ENROLLED**

**Senate Bill No. 1010**

(BY SENATOR TOMBLIN (MR. PRESIDENT),  
BY REQUEST OF THE EXECUTIVE)

[Passed May 18, 2010; in effect from passage.]

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 1010**

(BY SENATOR TOMBLIN (MR. PRESIDENT),  
BY REQUEST OF THE EXECUTIVE)

[Passed May 18, 2010; in effect from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-2-9c, relating to creating a fund for the transfer of moneys from the Attorney General to the Department of Health and Human Resources.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §9-2-9c, to read as follows:

**ARTICLE 2. COMMISSIONER OF HUMAN SERVICES; POWERS, DUTIES  
AND RESPONSIBILITIES GENERALLY.**

**§9-2-9c. Behavioral Mental Health Services Fund created.**

- 1 There is created in the State Treasury a special revenue
- 2 account to be designated the "Behavioral Mental Health
- 3 Services Fund" which is an interest-bearing account that

4 may be invested and retain all earnings. On or before  
5 August 1, 2010, the State Treasurer shall make a one-time  
6 transfer of \$14,750,000 from Fund 1509 – Consumer  
7 Protection Recovery Fund, administered by the Attorney  
8 General, into the Behavioral Mental Health Services Fund.  
9 All moneys transferred to this fund shall be expended in  
10 accordance with the settlement provisions of *State of West*  
11 *Virginia v. Eli Lilly and Company, Inc.*, United States  
12 District Court of the Eastern District of New York, Civil  
13 Action No. 06-CV-5826. Nothing in this article may be  
14 construed to mandate additional funding or to require any  
15 additional appropriation by the Legislature.

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

*[Signature]*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is approved* this the *3rd*  
Day of *June*, 2010.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAY 24 2010

Time

4:10 pm