

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 57

FISCAL
NOTE

BY SENATOR ROMANO

[Introduced January 10, 2018; Referred
to the Committee on the Judiciary; and then to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §22B-1-7a; and to amend said code by adding thereto a new section,
 3 designated §24-1-7a, all relating to requiring disclosure of attorney source payment in
 4 certain administrative hearings; requiring a person involved in a proceeding before the
 5 environmental boards to disclose who is paying the person’s attorney’s fees; and requiring
 6 a person involved in a proceeding before the Public Service Commission to disclose who
 7 is paying the person’s attorney’s fees.

Be it enacted by the Legislature of West Virginia:

CHAPTER 22B. ENVIRONMENTAL BOARDS.

ARTICLE 1. GENERAL POLICY AND PURPOSE.

§22B-1-7a. Disclosure of attorney source payment.

1 Any person involved in a proceeding before the boards, as an appellant, intervenor or
 2 other interested party, that files a document with the board prepared by an attorney or attorneys
 3 shall disclose whether the attorney or attorneys are being paid for by someone other than the
 4 person involved in the proceeding and, if so, who is paying for the person’s attorney or attorneys
 5 in the proceeding.

CHAPTER 24. PUBLIC SERVICE COMMISSION.

ARTICLE 1. GENERAL PROVISIONS.

§24-1-7a. Disclosure of attorney source payment.

1 Any person involved in a proceeding before the commission, as an appellant, intervenor
 2 or other interested party, that files a document with the commission prepared by an attorney or
 3 attorneys shall disclose whether the attorney or attorneys are being paid for by someone other
 4 than the person involved in the proceeding and, if so, who is paying for the person’s attorney or
 5 attorneys in the proceeding.

NOTE: The purpose of this bill is to ensure attorney source payment is disclosed in certain hearings to provide full information regarding the interests at stake.

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