

TITLE 10: LOCAL LAWS
DIVISION 1: FIRST SENATORIAL DISTRICT (ROTA)

§ 1421. Private Right of Action to Enforce Franchise.

To protect its franchise granted by this chapter, there is hereby created a private right of action on behalf of all licensees. Pursuant to the rules of civil procedure for the Commonwealth courts, a licensee may bring any and all types of civil actions, including but not limited to injunctive of damage actions, against those who, in any manner of form, infringe, diminish, or interfere with the licensee's franchise. In all such suits or actions where it prevails, the licensee shall be awarded its reasonable attorneys fees and costs of suit.

Source: Rota LL 11-3, § 1 (1421), modified.

Commission Comment: Section 1 of Rota LL 11-3 repealed and reenacted Chapter 4 of Division 1 of Title 10, the Rota Cockfighting Act of 1990. Rota LL 11-3 contained repeal and re-enactment, severability, and savings clause provisions as follows:

Section 1. Repeal and re-enactment. Chapter 4 of Division 1 of Title 10 of the Commonwealth Code, the Rota Cockfighting Act of 1990, is hereby repealed and re-enacted as follows:

. . .

Section 2. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 3. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.