

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 399

(By Mr. Barron)



PASSED March 14 1953

In Effect twenty days from Passage



399

**ENROLLED**

**House Bill No. 399**

(By MR. BARRON)

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[Passed March 14, 1953; in effect ninety days from passage.]

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AN ACT to amend and reenact section one, article seven, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to insurance agents and brokers.

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

That section one, article seven, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 1. *Licenses of Agents, Solicitors and Brokers;*  
2 *Compliance With Laws.*—No person shall act in the solici-  
3 tation or procurement of applications for, or policies of,  
4 insurance for any company referred to in this chapter,  
5 without first procuring a license, or a certificate of au-  
6 thority, as agent, solicitor or broker, from the insurance  
7 commissioner, all of which licenses, or certificates, here-

8 after issued shall be renewable on the first day of April  
9 in each year. The insurance commissioner, except where  
10 it is otherwise specially provided, shall not issue such  
11 license, or certificate of authority, to any person who is  
12 not a resident of this state, or whom he finds not trust-  
13 worthy and competent to transact the business of insur-  
14 ance. Nor shall any person act as agent, solicitor or broker  
15 of any insurance company until he shall in all respects  
16 have complied with all the general provisions of this chap-  
17 ter regulating his duties and obligations: *Provided, how-*  
18 *ever,* That as to the business of life insurance, such resi-  
19 dence shall not be required when a nonresident applicant  
20 for a license promises and agrees, as a condition of being  
21 licensed, that all life insurance policies issued as a result  
22 of solicitation on his part or in his behalf in this state shall  
23 be reported, placed and consummated through a duly  
24 licensed resident agent of the insurer or insurers taking  
25 such risks, and such licensed nonresident agents may re-  
26 ceive commissions on such insurance.

27 If an individual agent has his residence in an urban  
28 community composed of two immediately contiguous mu-

29 municipal corporations, of which one is located in this state  
30 and one is located in another state, such agent shall be  
31 considered as meeting the requirements of this section as  
32 to residence for the transaction of insurance in this state  
33 if (a) his residence is in any part of such urban com-  
34 munity; and (b) the state wherein the other municipal  
35 corporation is located has established by law or regula-  
36 tion like requirements as to residence of its own agents  
37 in such urban community.

38 On conviction of any person acting as such agent, so-  
39 licitor or broker of the violation of any provision of this  
40 chapter, the insurance commissioner shall forthwith re-  
41 voke the certificate of authority issued to him, and no  
42 certificate shall thereafter be issued to such convicted per-  
43 son, until one year from the date of conviction.

44 The term immediately contiguous shall not mean mu-  
45 nicipal corporations separated by a river or other stream.

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

H. M. Kinley  
Chairman Senate Committee

T. H. Mueller  
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

J. Howard Dyer  
Clerk of the Senate

J. D. Hoff  
Clerk of the House of Delegates

Ralph Bean  
President of the Senate

W. E. Hannery  
Speaker House of Delegates

The within approved this the 20th  
day of March, 1953.

William C. Maland  
Governor



RECORDED IN THE OFFICE OF THE SECRETARY OF STATE

MAR 20 1953

OF THE VIRGINIA

**D. PITT O'BRIEN,**  
SECRETARY OF STATE