

**WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1953**

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**ENROLLED**

**SENATE BILL NO. 311**

(By Mr. Amos.....)

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PASSED March 11.....1953

In Effect from.....Passage



118

**ENROLLED**  
**Senate Bill No. 311**  
(By MR. AMOS)

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[Passed March 11, 1953; in effect from passage.]

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AN ACT to amend and reenact sections one and five, article five, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to farmers' mutual fire insurance companies, damages insured against by them, policy forms and limitation of liability.

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

That sections one and five, article five, 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. *Incorporation Without Capital Stock.*—A  
2 farmers' mutual fire insurance company may be organ-

3 ized and incorporated without capital stock under the  
4 laws of this state as set forth under chapter thirty-one  
5 of this code for the purpose of insuring property against  
6 loss or damage as hereinafter authorized.

Sec. 5. *Damages Insured Against; Policy Forms to Be*  
2 *Approved; Limitation of Liability.*—Every such company  
3 may issue policies of insurance, signed by its president  
4 and secretary, providing insurance against:

5 (a) Loss or damage to dwelling houses, stores and all  
6 kinds of buildings and household furniture, goods, mer-  
7 chandise and chattels of every description, and all other  
8 property by fire, lightning, aircraft, windstorm, tornado,  
9 cyclone, hail, frost or snow, smoke, weather or climatic  
10 conditions, including excess or deficiency of moisture,  
11 flood, rain or drought, business interruptions, riot attend-  
12 ing a strike or civil commotion, riot, aircraft and by ex-  
13 plosion whether fire ensues or not;

14 (b) Loss or damage by insects or disease to farm crops  
15 or products and loss of rental value of land used in pro-  
16 ducing such crops or products;

17 (c) Loss or damage by water or other fluid to any  
18 goods or premises arising from the breakage or leakage of  
19 sprinklers, pumps or other apparatus erected for ex-  
20 tinguishing fires, or of other conduits or containers, or  
21 by water entering through leaks or openings in buildings  
22 and of water pipes, and against accidental injury to such  
23 sprinklers, pumps, apparatus, conduits, containers or  
24 water pipes.

25 The form of all such policies shall be subject to regu-  
26 lation and approval of the insurance commissioner, who  
27 may, if he deems fit, after conferring with representatives  
28 of companies affected, prescribe a general form or forms  
29 for such policies, or specific provisions which shall be  
30 inserted in such policies, and all such policies thereafter  
31 issued shall conform to all such regulations prescribed  
32 by the insurance commissioner. All policies issued shall  
33 have all of their terms and provisions printed thereon or  
34 attached thereto in full. Companies may limit their  
35 liability in the policy to a definite per cent of the value  
36 of the property.

37 The subject of the insurance and the risks, hazard or  
38 peril insured against shall be expressly set forth in the  
39 policy of insurance. The insurance commissioner may,  
40 for good cause shown or on application of the company,  
41 limit the license of a company to make insurance to any  
42 one or more of the perils or coverages authorized herein.

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

*Wm. Turley*  
Chairman Senate Committee

*C. A. Amble*  
Chairman House Committee

Originated in the Senate.

Takes effect *from* passage.

*Howard Meyer*  
Clerk of the Senate

*Philip*  
Clerk of the House of Delegates

*Robert B. Beaman*  
President of the Senate

*W. E. Murray*  
Speaker House of Delegates

The within *approved* this the *16th* day of *March*, 1953.

*William C. Marland*  
Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE  
OF THE VIRGINIA  
**MAR 16 1953**  
**D. PITT O'BRIEN,**  
SECRETARY OF STATE