

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

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ENROLLED

HOUSE BILL No. 4515

(By ~~MR.~~ Del. Susman + Minard)
[By Request]

— ● —

Passed March 10, 1990

In Effect ninety days from Passage

ENROLLED
H. B. 4515

(By DELEGATES SUSMAN AND MINARD)
[By Request]

[Passed March 10, 1990; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article fourteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the amount of group life insurance coverage permissible on dependents of the group member.

Be it enacted by the Legislature of West Virginia:

That section seven, article fourteen, 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:

ARTICLE 14. GROUP LIFE INSURANCE.

§33-14-7. Dependent coverage.

1 Any policy issued pursuant to sections two, four and
2 five of this article may be extended to insure the
3 employees or members against loss due to the death of
4 their spouses and minor children, or any class or classes
5 thereof, subject to the following requirements:

6 (a) The premium for the insurance shall be paid by
7 the policyholder, either from the employer's or union's
8 funds or funds contributed by the employer or union, or
9 from funds contributed by the insured employees or
10 members, or from both. If any part of the premium is
11 to be derived from funds contributed by the insured
12 employees or members, the insurance with respect to

13 spouses and children may be placed in force only if at
14 least seventy-five percent of the then eligible employees
15 or members, excluding any as to whose family members
16 evidence of insurability is not satisfactory to the insurer,
17 elect to make the required contribution. If no part of the
18 premium is to be derived from funds contributed by the
19 employees or members, all eligible employees or
20 members, excluding any as to whose family members
21 evidence of insurability is not satisfactory to the insurer,
22 must be insured with respect to their spouses and
23 children.

24 (b) The amounts of insurance must be based upon
25 some plan precluding individual selection either by the
26 employees or members or by the policyholder, employer
27 or union.

28 (c) Upon termination of the insurance with respect to
29 the members of the family of any employee or member
30 by reason of the employee's or member's termination of
31 employment, termination of membership in the class or
32 classes eligible for coverage under the policy, or death,
33 the spouse shall be entitled to have issued by the insurer,
34 without evidence of insurability, an individual policy of
35 life insurance without disability or other supplementary
36 benefits, providing application for the individual policy
37 shall be made, and the first premium paid to the
38 insurer, within thirty-one days after such termination,
39 subject to the requirements of paragraphs (a), (b) and
40 (c) of section sixteen of this article. If the group policy
41 terminates or is amended so as to terminate the
42 insurance of any class of employees or members and the
43 employee or member is entitled to have issued an
44 individual policy under section seventeen of this article,
45 the spouse shall also be entitled to have issued by the
46 insurer an individual policy, subject to the conditions
47 and limitations provided above. If the spouse dies within
48 the period during which he would have been entitled to
49 have an individual policy issued in accordance with this
50 provision, the amount of life insurance which he would
51 have been entitled to have issued under such individual
52 policy shall be payable as a claim under the group
53 policy, whether or not application for the individual

54 policy or the payment of the first premium therefor has
55 been made.

56 (d) Notwithstanding section fifteen of this article, only
57 one certificate need be issued for delivery to an insured
58 person if a statement concerning any dependent's
59 coverage is included in such certificate.

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

Frederick L. Harris
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Harriet G. McSpur
Clerk of the Senate

Donald L. Hoop
Clerk of the House of Delegates

Kath Benedict
President of the Senate

Robert Cole
Speaker of the House of Delegates

The within is approved this the 26th day of March, 1990.

Anton Caperton
Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/40

Time 3:43 pm

RECEIVED

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OFFICE OF THE
SHERIFF