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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

— ● —

ENROLLED

Com. Sub. For
HOUSE BILL No. *2271*

(By Delegates *Phillips, Douglas, P. White,*
Brown, Vest, Rowe and Compton)

— ● —

Passed *April 10,* 1993

In Effect *Ninety Days from* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2271
(By DELEGATES PHILLIPS, DOUGLAS, P. WHITE, BROWN,
VEST, ROWE AND COMPTON)

[Passed April 10, 1993; in effect ninety days from passage.]

AN ACT to amend article six, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-six, relating to insurance policies; the continuation of coverage under automobile liability policies; exclusions; notice; and rules to be promulgated by the commissioner of insurance.

Be it enacted by the Legislature of West Virginia:

That article six, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirty-six, to read as follows:

ARTICLE 6. THE INSURANCE POLICY.

§33-6-36. Continuation of coverage under automobile liability policy; selection of coverage; exclusions; notice.

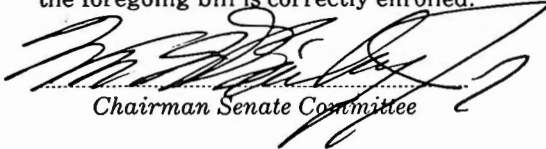
- 1 (a) In the event of death, legal separation or termina-
- 2 tion of the marital relationship of the named insured,
- 3 the named insured or spouse covered by a motor vehicle
- 4 liability policy for a period of two or more years shall,
- 5 upon request of the named insured or spouse within


6 thirty days of the expiration of said policy, be issued his
7 or her own individual motor vehicle liability insurance
8 policy providing the same coverage as the original policy
9 through the same insurer, without any lapse in cover-
10 age: *Provided*, That any such named insured or spouse
11 may elect to increase or decrease the amount of coverage
12 in his or her respective policies without affecting any
13 privilege provided by this section. Any named insured
14 or spouse requesting an individual policy pursuant to
15 this section shall be entitled to the continuation of all
16 rights and privileges afforded by section one-a and
17 section four of article six-a of this chapter which were
18 accrued under the original policy: *Provided, however*,
19 That this section shall not apply to any motor vehicle
20 liability insurance policy canceled, non-renewed or
21 terminated pursuant to the provisions of section one or
22 section four, article six-a of this chapter.

23 (b) Insurers shall notify all named insureds at policy
24 issuance or the first renewal after the effective date of
25 this section and upon any change or termination of the
26 policy for reasons other than those provided in sections
27 one and four of article six of this chapter of the right
28 of the named insured or spouse to continue coverage as
29 provided by this section.

30 (c) The commissioner shall promulgate rules in
31 accordance with the provisions of chapter twenty-nine-
32 a of this code regarding the form of such notice and
33 procedures required by this section.

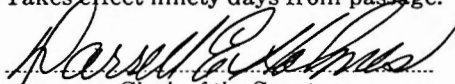
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

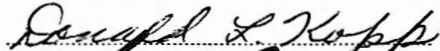

Chairman Senate Committee


Ernest C Moore
Chairman House Committee

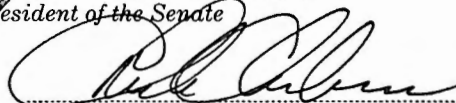
Originating in the House.

Takes effect ninety days from passage.

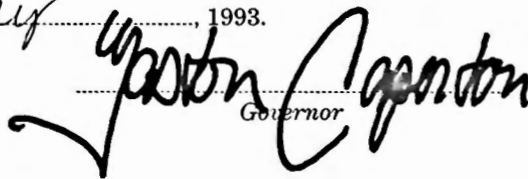

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 6th
day of May 1993.


Governor

PRESENTED TO THE

GOVERNOR

Date 9/30/93

Time 3:27 pm