WEST VIRGINIA CODE: §33-31-4

§33-31-4. Minimum capital and surplus; letter of credit.

(a) No captive insurance company shall be issued a license unless it shall possess and thereafter maintain unimpaired paid-in capital of:

(1) In the case of a pure captive insurance company, not less than $100,000;

(2) In the case of an association captive insurance company, not less than 350,000;

(3) In the case of an industrial insured captive insurance company, not less than $250,000;

(4) In the case of a risk retention group, not less than $500,000; and

(5) In the case of a sponsored captive insurance company, not less than $250,000.

(b) No captive insurance company shall be issued a license unless it possesses and thereafter maintains unimpaired paid-in surplus of:

(1) In the case of a pure captive insurance company, not less than $150,000;

(2) In the case of an association captive insurance company, not less than $350,000;

(3) In the case of an industrial insured captive insurance company, not less than $250,000;

(4) In the case of a risk retention group, not less than $500,000; and

(5) In the case of a sponsored captive insurance company, not less than $250,000.

(c) The commissioner may prescribe additional capital and surplus based upon the type, volume, and nature of insurance business transacted.

(d) Capital and surplus may be in the form of cash or an irrevocable letter of credit issued by a bank chartered by the State of West Virginia or a member bank of the federal reserve system and approved by the commissioner.

WV Legislature