WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 160

(By Mr. Wylie)

PASSED March 6, 1939

In Effect ninety days from Passage

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WILLIAM S. O'BRIEN
SECRETARY OF STATE
ENROLLED

Senate Bill No. 160

(By Mr. Wylie)

[Passed March 6, 1939; in effect ninety days from passage.]

AN ACT to amend chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, relating to insurance and annuity contracts, by adding thereto article twelve, relating to burial insurance.

Be it enacted by the Legislature of West Virginia:

That chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, relating to insurance and annuity contracts, be amended by adding thereto article twelve, to read as follows:

Article XII. Burial Insurance.

Section 1. Burial Insurance Defined.—“Burial insurance”
as used in this article includes any kind of agreement, policy, contract, bond, assurance, guarantee or other arrangement, by by-law, regulation or otherwise, in or by which an insurer agrees to pay for any or all of the incidents of the burial of the body of a named or designated person.

Sec. 2. Qualification to Do Burial Insurance Business.—

Before engaging in the business of burial insurance any person, association or corporation desiring so to do shall comply with all the provisions of the laws of this state governing the organization, qualification and conduct of life insurance companies.

Sec. 3. Compliance by Those Now Engaged.—In order to continue in the business of burial insurance any person, association or corporation now engaged therein, shall comply with the provisions of this article on or before July 1, 1940.

Sec. 4. Payment of Benefits in Cash.—All burial insurance benefits shall be paid in cash to the beneficiary. No person, association or corporation engaged in the business of burial insurance shall contract to pay or pay such insurance or its benefits or any part of either, to any official undertaker or
to any designated undertaker or undertaking concern or to
any particular tradesman or business man.

Sec. 5. Penalty for Violation of Article.—Any person, as-
sociation or corporation violating any provision of this
article shall be guilty of a misdemeanor and, upon conviction,
shall be punished by a fine of not less than twenty dollars,
nor more than fifty dollars, for each and every day that such
violation continues.

Sec. 6. Exemptions.—This article shall not apply to fra-
ternal benefit societies operating on the lodge system or to
any organization of employees under a common employer.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. O. Wiseman
Chairman Senate Committee

Hall A. Nelson
Chairman House Committee

Originated in the Senate

Takes effect ninety days from passage

Charles P. Lindley
Clerk of the Senate

Wm. J. Fike
Clerk of the House of Delegates

Wm. B. Paton
President of the Senate

James R. Thomas
Speaker House of Delegates

The within... this the 13th day of January, 1939.

Thomas L. Harris
Governor