

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941



ENROLLED

HOUSE BILL No. 183

(By Mr. Jones, by Request)



PASSED March 1, 1941

In Effect from Passage

281

ENROLLED

House Bill No. 183

(BY MR. JONES, BY REQUEST)

[Passed March 1, 1941; in effect from passage.]

AN ACT to amend and reenact section five, article five, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, relating to the general powers of indemnity companies.

Be it enacted by the Legislature of West Virginia:

That section five, article five, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 5. *General Powers.*—An indemnity company
2 organized under the provisions of this chapter, or or-
3 ganized under the laws of any other state and having a
4 license to do business in this state, and which has com-
5 plied with the provisions of this article, may become
6 surety of any person for the performance of any official
7 duty required by law, or of any person or corporation on

8 any bond or undertaking required in any proceeding in
9 any court, and/or of any person, persons, corporation or
10 corporations on any bond, writing or obligation for the
11 performance of any promise, duty or undertaking of
12 whatsoever terms or description, and/or may make con-
13 tracts and issue policies of insurance guaranteeing title
14 of, and freedom from liens of, any property, real or per-
15 sonal, and/or issue policies of insurance against loss
16 from any cause, other than by death of any person or by
17 fire: *Provided*, That any indemnity company may by its
18 charter be restricted to engaging in any one or more of
19 the branches of business above outlined.

20 Except as otherwise provided by law, any indemnity
21 company may prescribe such terms and conditions for
22 entering into any contract or undertaking and make such
23 charges for any such service as the officers thereof shall
24 deem advisable: *Provided, however*, That in the exercise
25 of any of the powers enumerated above including any
26 prescribed terms and conditions for entering into any
27 contract or undertaking, there shall be no distinction or
28 discrimination in favor of individuals of the same class

29 or between risks of essentially the same hazard in this
30 state, on account of race, creed or color.

31 The insurance commissioner shall have such powers and
32 authority, in respect to enforcement of the provisions of
33 this section as are conferred upon him in chapter thirty-
34 three of the code of West Virginia.

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

C. H. McKown
Chairman Senate Committee

Leon Rice
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

A. Hale Watkins
Clerk of the Senate

Joseph
Clerk of the House of Delegates

Byrd B. Randolph
President of the Senate

Malcolm R. Arnold
Speaker House of Delegates

The within approved this the 13th
day of March, 1941.

Matthew M. Neely
Governor.

Filed in the office of the Secretary of State
of West Virginia. MAR 13 1941
Wm. S. O'BRIEN,
Secretary of State

