

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949



# ENROLLED

HOUSE BILL No. 36

(By Mr. Prather & Mr. Burger)



PASSED March 7 1949

In Effect July 1, 1949 Passage



36

**ENROLLED**  
**House Bill No. 36**

(By MR. PRATHER and MR. BARGER)

[Passed March 7, 1949; in effect July 1, 1949.]

AN ACT to amend and reenact section thirty-seven, article two, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, relating to the payment of an annual license tax by insurance companies or associations and the disposition of such tax.

*Be it enacted by the Legislature of West Virginia:*

That section thirty-seven, article two, 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:

Section 37. *Annual Return of and Tax on Premiums of*  
2 *Insurance Companies; Amount of Tax; Payment into State*  
3 *Fund; Separate Fund Established as to Tax Paid by Fire*  
4 *Insurance Companies and Associations.*—Every insurance  
5 company licensed to transact business in this state shall  
6 make a return annually on or before the first day of March,  
7 to the insurance commissioner, under the oath of its

8 president or secretary, of the gross amount of premiums  
9 collected and received by it during the previous calendar  
10 year on business done in this state; and upon receiving  
11 from the commissioner a certificate of the acceptance of  
12 such return and of the amount of tax due thereon, such  
13 company shall pay such tax to the insurance commissioner  
14 annually on or before the first day of March. The annual  
15 tax which a licensed insurance company is required to  
16 pay under the provisions of this section shall be a sum  
17 equal to two per cent of the gross premiums received by  
18 it on the business written or renewed in this state, in-  
19 cluding any so-called dividends on participating insurance  
20 policies applied in reduction of premiums, less premiums  
21 returnable for cancellation. All such taxes paid to the  
22 commissioner shall be paid by him into the state treasury  
23 for the benefit of the state fund: *Provided, however,* That  
24 all such taxes paid into the state treasury by fire insurance  
25 companies, corporations, and associations shall be accepted  
26 and carried in a separate fire department dues account  
27 and shall be expended only for the purposes and objects  
28 as set forth in article six-b of chapter eight of the code

29 of West Virginia, one thousand nine hundred thirty-one  
30 as amended.

31 If any provision of this section or the application thereof  
32 to any person or circumstance is held invalid, the re-  
33 mainder of the act and application of such provision to  
34 other persons or circumstances shall not be affected there-  
35 by.

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

*Joseph L. Warner*

Chairman Senate Committee

*R. L. Matthews*

Chairman House Committee

Originated in the House of Delegates

Takes effect

*July 1, 1949*

passage.

*Howard Meyer*

Clerk of the Senate

*R. A. Riffe*  
Clerk of the House of Delegates

*Franklin D. Houston*

President of the Senate

*W. E. Johnston*

Speaker House of Delegates

The within

*disapproved*

this the

*14th*

day of

*MARCH*

, 1949.

*Okey L. Patteson*

Governor

Filed in the Office of the Secretary of State  
of West Virginia

**MAR 14 1949**

**D. PITT O'BRIEN,**  
SECRETARY OF STATE