WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953

ENROLLED

HOUSE BILL No. 399

(By Mr. Barron)

PASSED March 14, 1953

In Effect thirty days from Passage
AN ACT to amend and reenact section one, article seven, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to insurance agents and brokers.

Be it enacted by the Legislature of West Virginia:

That section one, article seven, 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 1. Licenses of Agents, Solicitors and Brokers;

2 Compliance With Laws.—No person shall act in the solicitation or procurement of applications for, or policies of, insurance for any company referred to in this chapter, without first procuring a license, or a certificate of authority, as agent, solicitor or broker, from the insurance commissioner, all of which licenses, or certificates, here-
after issued shall be renewable on the first day of April in each year. The insurance commissioner, except where it is otherwise specially provided, shall not issue such license, or certificate of authority, to any person who is not a resident of this state, or whom he finds not trustworthy and competent to transact the business of insurance. Nor shall any person act as agent, solicitor or broker of any insurance company until he shall in all respects have complied with all the general provisions of this chapter regulating his duties and obligations: Provided, however, That as to the business of life insurance, such residence shall not be required when a nonresident applicant for a license promises and agrees, as a condition of being licensed, that all life insurance policies issued as a result of solicitation on his part or in his behalf in this state shall be reported, placed and consummated through a duly licensed resident agent of the insurer or insurers taking such risks, and such licensed nonresident agents may receive commissions on such insurance.

If an individual agent has his residence in an urban community composed of two immediately contiguous mu-
municipal corporations, of which one is located in this state
and one is located in another state, such agent shall be
considered as meeting the requirements of this section as
to residence for the transaction of insurance in this state
if (a) his residence is in any part of such urban com-
munity; and (b) the state wherein the other municipal
corporation is located has established by law or regula-
tion like requirements as to residence of its own agents
in such urban community.

On conviction of any person acting as such agent, so-
lcitor or broker of the violation of any provision of this
chapter, the insurance commissioner shall forthwith re-
voke the certificate of authority issued to him, and no
certificate shall thereafter be issued to such convicted per-
son, until one year from the date of conviction.

The term immediately contiguous shall not mean mu-
nicipal corporations separated by a river or other stream.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 20th day of March, 1953.

Governor

MAR 20 1953

Secretary of State