

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 286

(By Mr. Barron)



PASSED March 14 1953

In Effect ninty days from Passage



286

ENROLLED

House Bill No. 286

(By MR. BARRON)

[Passed March 14, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article thirteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to group accident and health insurance, prescribing the minimum number of individuals to be insured on a group basis.

Be it enacted by the Legislature of West Virginia:

That section one, article thirteen, 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. *Companies Which May Write Group Accident and Health Insurance; Policy Classifications; Definitions.*—Any insurer authorized to do the business of accident and health insurance in this state may issue group policies insuring against bodily injury or death caused by accident or accidental means, or against sickness, or both, coming within any of the following classifications:

(a) A policy issued to an employer, who shall be deemed

9 the policyholder, insuring at least ten employees of such
10 employer, for the benefit of persons other than the em-
11 ployer, and conforming to the following requirements:

12 (i) If the premium is paid by the employer the group
13 shall comprise all employees or all of any class or classes
14 thereof determined by conditions pertaining to the em-
15 ployment, or

16 (ii) If the premium is paid by the employer and em-
17 ployees jointly, or by the employees, the group shall com-
18 prise not less than seventy-five per cent of all employees
19 of the employer or not less than seventy-five per cent of
20 all employees of any class or classes thereof determined
21 by conditions pertaining to the employment;

22 (b) A policy issued to an association which has a con-
23 stitution and by-laws and which has been organized and
24 is maintained in good faith for purposes other than that
25 of obtaining insurance, insuring at least ten members of
26 the association for the benefit of persons other than the
27 association or its officers or trustees, as such;

28 (c) A policy issued to a college, school or other institu-
29 tion of learning or to the head or principal thereof, insur-

30 ing students, or students and employees, of such institu-
31 tion;

32 (d) A policy issued to or in the name of any volunteer
33 fire department, insuring all of the members of such de-
34 partment or all of any class or classes thereof against any
35 one or more of the hazards to which they are exposed by
36 reason of such membership.

37 The term "employee" as used herein shall be deemed
38 to include the officers, managers, and employees of the
39 employer, the partners, if the employer is partnership, the
40 officers, managers, and employees of subsidiary or affli-
41 ated corporations of a corporation employer, and the in-
42 dividual proprietors, partners and employees of individu-
43 als and firms, the business of which is controlled by the
44 insured employer through stock ownership contract or
45 otherwise. The term "employer" as used herein may be
46 deemed to include any municipal or governmental cor-
47 poration, unit, agency or department thereof and the
48 proper officers, as such, of any unincorporated municipal-
49 ity or department thereof, as well as private individuals,
50 partnerships and corporations.

STATE OF OHIO
DEPT. OF REVENUE
C. PITT O'BRIEN
MAY 10 1953

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

A. M. Kinley
Chairman Senate Committee

C. H. Humber
Chairman House Committee

Originated in the House of Delegates

Takes effect *ninety days from* passage.

Howard Myers
Clerk of the Senate

J. D. Hoff
Clerk of the House of Delegates

Ralph Kean
President of the Senate

W. E. Hannerly
Speaker House of Delegates

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

William C. Mailand
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia **MAR 20 1953**
D. PITT O'BRIEN,
SECRETARY OF STATE