WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 343

(By Mr. Andrews)

PASSED March 11, 1955

In Effect ninety days from Passage

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

MAR 17 1955
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SECRETARY OF STATE
ENROLLED

House Bill No. 393
(By Mr. Andrews)

[Passed March 11, 1955; 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, relative to group accident and health insurance.

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 the policyholder, insuring at least ten employees of such employer, for the benefit of persons other than the employer, and conforming to the following requirements:

(1) If the premium is paid by the employer the group shall comprise all employees or all of any class or classes thereof determined by conditions pertaining to the employment, or

(2) If the premium is paid by the employer and employees jointly, or by the employees, the group shall comprise not less than seventy per cent of all employees of the employer or not less than seventy-five per cent of all employees of any class or classes thereof determined by conditions pertaining to the employment;

(b) A policy issued to an association which has a constitution and by-laws and which has been organized and is maintained in good faith for purposes other than that of obtaining insurance, insuring at least ten members of the association for the benefit of persons other than the association or its officers or trustees, as such;
(c) A policy issued to a college, school or other institution of learning or to the head or principal thereof, insuring students, or students and employees, of such institution;

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

(e) A policy issued to any person or organization to which a policy of group life insurance may be issued or delivered in this state, to insure any class or classes of individuals that could be insured under such group life policy.

The term "employee" as used herein shall be deemed to include the officers, managers, and employees of the employer, the partners, if the employer is a partnership, the officers, managers, and employees of subsidiary or affiliated corporations of a corporation employer, and the individual proprietors, partners and employees of individuals and firms, the business of which is controlled by
the insured employer through stock ownership, contract, or otherwise. The term “employer” as used herein may be deemed to include any municipal or governmental corporation, unit, agency or department thereof and the proper officers, as such, of any unincorporated municipality or department thereof, as well as private individuals, partnerships and corporations.
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 16th day of March, 1955.

Governor

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

MAR 17, 1955

D. Pitt O'Brien
Secretary of State