WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

SENATE BILL NO. 81

(By Mr. ...)

PASSED ______________________ 1955

In Effect: ... Passage
AN ACT to amend and reenact section four, article seven, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the revocation of licenses to provide a penalty in lieu of revocation of license.

Be it enacted by the Legislature of West Virginia:

That section four, 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 4. Revocation of Licenses. — Whenever the insurance commissioner upon investigation is satisfied that any agent, solicitor or broker acting under his super-
vision and holding a certificate of authority from him is violating or has violated any provision of this chapter, or that he is incompetent or untrustworthy, he shall proceed to revoke the certificate, or license, of such agent, solicitor or broker. Whenever the insurance commissioner shall proceed to revoke such license, or certificate, whether for the reasons aforesaid or in pursuance of any other provision or provisions of this chapter, he shall first notify such person of his findings and state in writing the complaint against him and require such person, on a date named, which date shall not be less than thirty days after service of notice, to show cause why his license should not be revoked. On the date stated in such notice, the insurance commissioner shall proceed to a hearing and decision in the manner provided in section thirteen of article two of this chapter, and if such person does not present good and sufficient reasons why his authority to transact business in this state should not be revoked, the commissioner may revoke such person's license, or certificate of authority. The insurance commissioner, in lieu of revoking or suspending the license of a licensee in accordance with the
provisions of this article, may by order, require the licensee to pay to the state of West Virginia a penalty in a sum not exceeding one hundred dollars, and upon the failure of such licensee to pay such penalty within thirty days after the mailing of such order, postage prepaid, registered, and addressed to the last known place of business of such licensee, unless such order is stayed by an order of a court of competent jurisdiction, the insurance commissioner may revoke the license of such licensee or may suspend the same for such period as he may determine.

Any person whose license has been revoked or suspended or who has been ordered to pay a penalty under the provisions of this section may contest the decision and findings in the manner prescribed in section thirteen, article two of this chapter: Provided, however, That nothing contained in this section shall be taken or construed as preventing any such agent, solicitor or broker from doing business under the authority of such license, or certificate, during the pendency of any proceeding taken to contest and review an adverse decision of the insurance commissioner.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect... 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 10 day of... March... 1955.

William C. Marland
Governor.

Filed in the Office of the Secretary of State of West Virginia MAR 11 1955

D. Pitt O'Brien
Secretary of State
March 8, 1955

Honorable William C. Marland
Governor of the State of West Virginia

Dear Governor Marland:

Because of a printing error Enrolled Senate Bill No. 87, presented to you on March 1, 1955, and approved by you on the same date, is not the bill as passed by the two Houses of the Legislature.

Due to a printing error in the bill presented to you, line 27 on page three, read as follows: "in a sum not exceeding one thousand dollars, and upon". As passed by the two Houses of the Legislature this line reads "in a sum not exceeding one hundred dollars, and upon".

This bill has now been correctly enrolled and is herewith presented to you, signed by the President of the Senate and Speaker of the House of Delegates.

If satisfactory to you, it is suggested that you approve the correct bill and file it in the office of the Secretary of State with a copy of this letter attached.

Sincerely yours,

C. A. Blankenship
Clerk