WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED
SENATE BILL NO. 189

(By Mr. Nuckols)

PASSED March 5, 1959

In Effect 90 days from Passage

Filed in Office of the Secretary of State of West Virginia MAR 12 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section twenty-four, article twelve, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to payment of commissions to insurance agents, brokers, solicitors and excess line.

Be it enacted by the Legislature of West Virginia:

That section twenty-four, article twelve, 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 24. Payment of Commissions.—(a) The entire commission payable by any insurer licensed to transact insurance in this state on any insurance policy shall be
paid directly to the licensed resident agent who countersigns the policy. The countersigning agent shall not pay any part of such commission to any person other than a licensed agent or broker: *Provided,* That the portion of such commission retained by the countersigning resident agent shall not be less than ten percent of the gross policy premium or fifty percent of the commission payable by the insurer as provided herein, whichever is the lesser amount. The term "commission" as used herein shall include engineering fees, service fees or any other compensation incident to the issuance of a policy payable by or to any insurer, agent or broker. It shall be unlawful for any insurer or agent to pay, and any person to accept, directly or indirectly, any commission except as provided in this section.

(b) This section shall not apply to reinsurance, or life insurance; nor to excess line insurance procured in accordance with the provisions of this article relating thereto; nor to credit insurance, any contract of insurance covering the rolling stock of any railroad or covering any vessel, aircraft or motor carrier used in interstate or for-
25 own commerce, any liability or other risks incident to the
26 ownership, maintenance or operation thereof, any con-
27 tract of insurance covering any property in interstate or
28 foreign commerce, or any liability or risks incident there-
29 to.
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 90 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 12th day of March, 1959.

Governor