

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1962

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**ENROLLED**

SENATE BILL NO. 11

(By Mr. Carson, Mr. President,  
and Mr. McKown)

PASSED February 6 1962

In Effect From Passage



Filed in Office of the Secretary of State  
of West Virginia 2-14-62

JOE F. BURDETT  
SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 11**

(By MR. CARSON, MR. PRESIDENT, and MR. MCKOWN)

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[Passed February 6, 1962; in effect from passage.]

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AN ACT to amend article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirteen-g, relating to the making, validity and effect of contracts entered into by the state board of education with licensed or certain unlicensed insurers and requiring such unlicensed insurers to become licensed but exempt from premium tax provisions of the licensing laws, and further relating to the validity and effect of contracts or policies of insurance issued thereunder to individuals for supplemental retirement benefits or for other insurance benefits for persons employed by the state board of education at institutions of higher education.

*Be it enacted by the Legislature of West Virginia:*

That article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirteen-g, to read as follows:

**Article 2. State Board of Education.**

**Section 13-g. Requirements for Contracting with Insurers; Effect Thereof.**—In contracting for the group insurance provided for in section thirteen-c and for the supplemental retirement benefits provided for in section thirteen-f of this article, as well as for other insurance benefits for any and all persons employed by it at institutions of higher learning under its control, the state board of education shall solicit proposals for the coverage sought, which proposals shall be obtained by public notice inserted at least twice in a newspaper of statewide circulation at least two weeks before the final date for submitting proposals. The board may also solicit proposals by sending requests by mail to prospective insurers. Upon receipt and consideration of such proposals as may be submitted the board shall have the authority to accept the

16 proposal of and contract with the insurer offering the  
17 insurance program or programs determined by the board,  
18 in its judgment, to be the most desirable to the benefi-  
19 ciaries thereof, whether such insurer be then licensed as  
20 an insurance company in this state or not: *Provided, That*  
21 no contract shall be made effective unless and until the  
22 insurance company becomes licensed as a life insurance  
23 company in accordance with article three, chapter thirty-  
24 three of this code, as amended: *Provided further, That* if  
25 such insurer shall be a life insurance company organized  
26 and operated without profit to any private shareholder  
27 or individual exclusively for the purpose of aiding and  
28 strengthening non-profit institutions or foundations en-  
29 gaged primarily in education or research, by issuing in-  
30 surance and annuity contracts only to or for the benefit  
31 of such institutions and to individuals engaged in the  
32 service of such institutions, it shall be exempt from the  
33 payment of premium and annuity taxes provided for by  
34 sections fourteen, fourteen-a and fifteen, article three, and  
35 any other pertinent premium tax sections, of chapter  
36 thirty-three of this code, as amended, as to all annuity or

37 insurance contracts made with educational institutions  
38 located within, or relative to subjects of insurance resi-  
39 dent in, West Virginia.

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

*Samuel Davis, Jr.*  
Chairman Senate Committee

*Mrs. M. H. Withrow*  
Chairman House Committee

Originated in the Senate.

Takes effect *FROM* passage.

*Edmund Nepe*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*Harriet W. Pearson*  
President of the Senate

*Julius W. Singleford*  
Speaker House of Delegates

The within *approved* this the *thirteenth* day of *February*, 1962.

*W. M. Barron*  
Governor

