
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 309

(By Mr. Kaufman)

PASSED March 4, 1967

In Effect Ninety days from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-16-67

309

ENROLLED
Senate Bill No. 309
(By MR. KAUFMAN)

[Passed March 4, 1967; in effect ninety days from passage.]

AN ACT to amend article six, chapter thirty-three of the code of ~~the code~~ of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen-a, relating to provisions in public liability insurance policies issued to charitable associations in this state, and requiring that such policies contain provisions for waiving the defense of charitable immunity.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. THE INSURANCE POLICY.

§33-6-14a. Public liability insurance policies issued to charitable associations to contain provision for waiving of charitable or governmental immunity defense.

No policy or contract of public liability insurance providing coverage for public liability shall be sold, issued, or delivered in this state to any religious or charitable corporation or association, either directly or to the trustees of such associations, or sold, issued or delivered to any governmental unit, agency or subdivision, unless it shall contain a provision or endorsement whereby the company issuing such policy waives, or agrees not to assert as a defense, on behalf of the policyholder or any beneficiary thereof, to any claim covered by the terms of such policy within the policy limits, the immunity from liability of the insured by reason of such insured's charitable or governmental status, unless such provision or endorsement is rejected in writing by the named insured.

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

William Tompos

 Chairman Senate Committee

Clayton C. Daubler

 Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Howard Myers

 Clerk of the Senate

C. Blankenship

 Clerk of the House of Delegates

Howard E. Carson

 President of the Senate

H. Haban

 Speaker House of Delegates

The within *approved* this the *16*
 day of *March*, 1967.

Hullett C. Smith

 Governor



PRESENTED TO THE
GOVERNOR

Date 3/11/67

Time 9:45 p.m.