WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED
SENATE BILL NO. 361

(By Mr. Bowiey and Mr. Sappenbury)

PASSED March 50, 1967

In Effect July 1, 1967, Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
AN ACT to amend and reenact section two, article twelve, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the qualifications for an agent’s license; providing for testing; and for examination fee.

Be it enacted by the Legislature of West Virginia:

That section two, 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:

ARTICLE 12. AGENTS, BROKERS, SOLICITORS AND EXCESS LINE.

§33-12-2. Qualifications.

For the protection of the people of West Virginia, the 2 commissioner shall not issue, renew or permit to exist
any agent's, broker's or solicitor's license except to an individual who:

(a) Is twenty-one years of age or more, except that present licensees who otherwise qualify may secure renewal even though they be less than twenty-one.

(b) Is a resident of West Virginia, except that a broker's license shall be issued only to nonresidents, and except for nonresident life and accident and sickness agents as provided in section eight of this article.

(c) Is, in the case of an agent applicant, appointed as agent by a licensed insurer for the kind or kinds of insurance for which application is made, subject to issuance of license, or, in the case of a solicitor applicant, appointed as solicitor by a licensed resident agent, subject to issuance of license.

(d) Does not intend to use the license principally for the purpose, in the case of life or accident and sickness insurance, of procuring insurance on himself, members of his family or his relatives; or, as to insurance other than life and accident and sickness, upon his property or insurable interests or those of his family or his rela-
ives or those of his employer, employees or firm, or
corporation in which he owns a substantial interest, or
of the employees of such firm or corporation, or on prop-
erty or insurable interests for which the applicant or any
such relative, employer, firm or corporation is the trustee,
bailee or receiver. For the purposes of this provision, a
vendor's or lender's interest in property sold or being
sold under contract or which is the security for any loan,
shall not be deemed to constitute property or an insur-
able interest of such vendor or lender.
(e) Satisfies the commissioner that he is trustworthy
and competent. The commissioner may, at his discretion,
test the competency of an applicant for a license under
this section by examination. If such examination is
required by the commissioner, each examinee shall pay
a five dollar examination fee for each examination. The
commissioner shall pay said examination fee into the
state treasurer for the benefit of the state fund general
revenue.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tamper  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1967.

J. Thomas McManus  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard J. Carson  
President of the Senate

W. Labor White  
Speaker House of Delegates

The within approved this the 17 day of March, 1967.

Hulet E. Smith  
Governor
PRESENTED TO THE
GOVERNOR

Date 3/12/67
Time 3:21 P.M.