

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 361

(By Mr. Bowling and Mr. Poffenbarger)

PASSED March 10, 1967

In Effect July 1, 1967 ~~Passage~~

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67

361

ENROLLED

Senate Bill No. 361

(By MR. BOWLING and MR. POFFENBARGER)

[Passed March 10, 1967; in effect July 1, 1967.]

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.**

§§-12-2. Qualifications.

For the protection of the people of West Virginia, the
2 commissioner shall not issue, renew or permit to exist

3 any agent's, broker's or solicitor's license except to an
4 individual who:

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

8 (b) Is a resident of West Virginia, except that a brok-
9 er's license shall be issued only to nonresidents, and ex-
10 cept for nonresident life and accident and sickness agents
11 as provided in section eight of this article.

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

18 (d) Does not intend to use the license principally for
19 the purpose, in the case of life or accident and sickness
20 insurance, of procuring insurance on himself, members
21 of his family or his relatives; or, as to insurance other
22 than life and accident and sickness, upon his property
23 or insurable interests or those of his family or his rela-

24 tives or those of his employer, employees or firm, or
25 corporation in which he owns a substantial interest, or
26 of the employees of such firm or corporation, or on prop-
27 erty or insurable interests for which the applicant or any
28 such relative, employer, firm or corporation is the trustee,
29 bailee or receiver. For the purposes of this provision, a
30 vendor's or lender's interest in property sold or being
31 sold under contract or which is the security for any loan,
32 shall not be deemed to constitute property or an insur-
33 able interest of such vendor or lender.

34 (e) Satisfies the commissioner that he is trustworthy
35 and competent. The commissioner may, at his discretion,
36 test the competency of an applicant for a license under
37 this section by examination. If such examination is
38 required by the commissioner, each examinee shall pay
39 a five dollar examination fee for each examination. The
40 commissioner shall pay said examination fee into the
41 state treasurer for the benefit of the state fund general
42 revenue.

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

William Tampus
Chairman Senate Committee

Clayton C Davidson
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1967.

Norman Meyers
Clerk of the Senate

C A Blankenship
Clerk of the House of Delegates

Howard W Carson
President of the Senate

H. Laban White
Speaker House of Delegates

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

Hereto C Smith
Governor

**PRESENTED TO THE
GOVERNOR**

Date 3/17/67

Time 3:21 P.m.