

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED

SENATE BILL NO. 221

(By Mr. Casper)

PASSED March 6, 1969

In Effect for Passage

#221

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-12-69

ENROLLED
Senate Bill No. 221

(By MR. CRAWFORD)

[Passed March 6, 1969; in effect from passage.]

AN ACT to amend article six, chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section five-a, relating to interest charges on loans repayable in installments.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. MONEY AND INTEREST.

§47-6-5a. Interest charges on loans repayable in installments.

- 1 After the effective date of this section parties may
- 2 contract for and charge for a secured or unsecured loan,

3 repayable in installments, not in excess of six percent per
4 annum upon the face amount of the instrument or instru-
5 ments evidencing the obligation to repay the loan, for the
6 entire period of the loan and deduct such charge in ad-
7 vance or add the same to the principal amount of the loan:
8 *Provided, however,* That if the entire unpaid balance out-
9 standing on the loan is paid on any installment date, prior
10 to maturity, the lender shall make a refund or rebate of
11 such charge in an amount computed on the aggregate in-
12 stallments not due, at the original contract rate of charge;
13 and any note evidencing any such installment loan may
14 provide that the entire unpaid balance thereof at the op-
15 tion of the holder shall become due and payable upon
16 default in the payment of any stipulated installment with-
17 out impairing the negotiability of such note, if otherwise
18 negotiable: *Provided further,* That nothing herein con-
19 tained shall affect or restrict the right of parties under sec-
20 tion five of this article to contract in writing for the pay-
21 ment of interest for the loan or forbearance of money at
22 a rate not to exceed eight dollars upon one hundred dol-
23 lars a year, and proportionately for a greater or less sum,

24 or for a longer or shorter time, including points express-
25 ed as a percentage of the loan divided by the number of
26 years of the loan contract: *And provided further*, That
27 nothing herein contained or contained in said section
28 five of this article shall be taken or construed as authoriz-
29 ing any charge or charges of any kind or character, in-
30 cluding interest, on installment loans by the deduction
31 thereof in advance or by adding the same to the principal
32 amount of the loan which singularly or together shall
33 exceed the six percent maximum provided for in this
34 section.

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

William Tompau
Chairman Senate Committee

Phyllis J. Rutledge
The Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Hayes
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Lyda Spivey
President of the Senate

Nov. F. Boarsky
Speaker House of Delegates

The within approved this the 14th
day of March, 1969.

Arch. D. Moore, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/11/69

Time 2:00 p.m.

RECEIVED

MAR 17 9 03 PM

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA