

MAR 24 10 50 AM '76

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976



ENROLLED

HOUSE BILL No. 819

(By Mr. Speaker, Mr. McManus)



PASSED March 12, 1976

In Effect ninty days from Passage



FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/24/76

ENROLLED

H. B. 819

(By MR. SPEAKER, MR. MCMANUS)

[Passed March 12, 1976; in effect ninety days from passage.]

AN ACT to amend and reenact section thirty-four, article twenty-three, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to raising the maximum death benefit allowable for domestic societies or associations of a purely religious, charitable or benevolent description to exempt them from the provisions of article twenty-three of chapter thirty-three of the code.

Be it enacted by the Legislature of West Virginia:

That section thirty-four, article twenty-three, 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 23. FRATERNAL BENEFIT SOCIETIES.

§33-23-34. Exemption of certain societies.

1 (a) Nothing contained in this article shall be so con-
2 strued as to affect or apply to:

3 (1) Grand or subordinate lodges of societies, orders or asso-
4 ciations now doing business in this state which provide bene-
5 fits exclusively through local or subordinate lodges;

6 (2) Orders, societies or associations which admit to mem-
7 bership only persons engaged in one or more crafts or hazard-
8 ous occupations, in the same or similar lines of business in-
9 suring only their own members, their families and descen-
10 dants of members and the ladies' societies or ladies' auxiliaries
11 to such orders, societies or associations;

12 (3) Domestic societies which limit their membership to em-
13 ployees of a particular city or town, designated firm, business
14 house or corporation which provide for a death benefit of not
15 more than four hundred dollars or disability benefits of not
16 more than three hundred fifty dollars to any person in any
17 one year, or both; or

18 (4) Domestic societies or associations of a purely religious,
19 charitable or benevolent description, which provide for a
20 death benefit of not more than one thousand dollars or for
21 disability benefits of not more than three hundred fifty dollars
22 to any one person in any one year, or both.

23 (b) Any such society or association described in subdivision
24 (3) or (4) of subsection (a) of this section which provides for
25 death or disability benefits for which benefit certificates are
26 issued, and any such society or association included in sub-
27 division (4) which has more than one thousand members, shall
28 not be exempted from the provisions of this article but shall
29 comply with all requirements thereof.

30 (c) No society which, by the provisions of this section, is
31 exempt from the requirements of this article, except any
32 society described in subdivision (2) of subsection (a) of this
33 section, shall give or allow, or promise to give or allow to any
34 person any compensation for procuring new members.

35 (d) Every society which provides for benefits in case of
36 death or disability resulting solely from accident, and which
37 does not obligate itself to pay natural death or sick benefits
38 shall have all of the privileges and be subject to all the appli-
39 cable provisions and regulations of this article except that the
40 provisions thereof relating to medical examination, valuations
41 of benefit certificates, and incontestability, shall not apply to
42 such society.

43 (e) The commissioner may require from any society or asso-
44 ciation, by examination or otherwise, such information as will
45 enable him to determine whether such society or association
46 is exempt from the provisions of this article.

47 (f) Societies, exempted under the provisions of this section,
48 shall also be exempt from all other provisions of this chapter.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christian, Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. Willoughby
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. T. Beuther
President of the Senate

Lewis F. McRae
Speaker House of Delegates

The within *Approved* this the *23rd*
March
day of _____, 1976.

Andrew Monroe
Governor

PRESENTED TO THE
GOVERNOR

ate 3/17/76
me 3:47 p.m.