

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time _____

MO: 1364

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981



ENROLLED

HOUSE BILL No. 1364

(By Mr. Shingleton + Mr. Shiflet)



Passed April 11, 1981

In Effect Ninety Days From Passage



ENROLLED

H. B. 1364

(By MR. SHINGLETON and MR. SHIFLET)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article fourteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to group life insurance; and increasing the amount of dependent coverage permitted under group life insurance.

Be it enacted by the Legislature of West Virginia:

That section seven, article fourteen, 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 14. GROUP LIFE INSURANCE.

§33-14-7. Dependent coverage.

1 Any policy issued pursuant to sections two, four and five
2 of this article may be extended to insure the employees or
3 members against loss due to the death of their spouses and
4 minor children, or any class or classes thereof, subject to the
5 following requirements:

6 (a) The premium for the insurance shall be paid by the
7 policyholder, either from the employer's or union's funds or
8 funds contributed by the employer or union, or from funds
9 contributed by the insured employees or members, or from
10 both. If any part of the premium is to be derived from funds
11 contributed by the insured employees or members, the insur-

12 ance with respect to spouses and children may be placed in
 13 force only if at least seventy-five percent of the then eligible
 14 employees or members, excluding any as to whose family
 15 members evidence of insurability is not satisfactory to the
 16 insurer, elect to make the required contribution. If no part of
 17 the premium is to be derived from funds contributed by the
 18 employees or members, all eligible employees or members,
 19 excluding any as to whose family members evidence of insur-
 20 ability is not satisfactory to the insurer, must be insured with
 21 respect to their spouses and children.

22 (b) The amounts of insurance must be based upon some
 23 plan precluding individual selection either by the employees
 24 or members or by the policyholder, employer or union, and
 25 shall not exceed, with respect to any spouse or child, the
 26 amount shown in the following schedule:

27 Age of Family member	Maximum Amount
28 at Death	of Insurance
29 Under 6 months	\$ 500.00
30 6 months to 18 years	1,000.00
31 Spouse	5,000.00

32 (c) Upon termination of the insurance with respect to the
 33 members of the family of any employee or member by reason
 34 of the employee's or member's termination of employment,
 35 termination of membership in the class or classes eligible for
 36 coverage under the policy, or death, the spouse shall be en-
 37 titled to have issued by the insurer, without evidence of in-
 38 surability, an individual policy of life insurance without dis-
 39 ability or other supplementary benefits, providing application
 40 for the individual policy shall be made, and the first premium
 41 paid to the insurer, within thirty-one days after such termi-
 42 nation, subject to the requirements of paragraphs (a), (b) and
 43 (c) of section sixteen of this article. If the group policy termi-
 44 nates or is amended so as to terminate the insurance of any
 45 class of employees or members and the employee or member
 46 is entitled to have issued an individual policy under section
 47 seventeen of this article, the spouse shall also be entitled to
 48 have issued by the insurer an individual policy, subject to the
 49 conditions and limitations provided above. If the spouse dies

50 within the period during which he would have been entitled to
51 have an individual policy issued in accordance with this pro-
52 vision the amount of life insurance which he would have
53 been entitled to have issued under such individual policy shall
54 be payable as a claim under the group policy, whether or not
55 application for the individual policy or the payment of the
56 first premium therefor has been made.

57 (d) Notwithstanding section fifteen of this article, only one
58 certificate need be issued for delivery to an insured person if
59 a statement concerning any dependent's coverage is included
60 in such certificate.

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

R. P. Boyler

Chairman Senate Committee

Jonny E. Whitlow

Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Todd C. Willis

Clerk of the Senate

V. Blankenship

Clerk of the House of Delegates

Wm. J. Roan

President of the Senate

Wade H. Seep Jr.

Speaker House of Delegates

The within *is approved* this the *28*
April day of _____, 1981.

John R. Rhyne

Governor

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SECY.