WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED

Com. Jnl. for
HOUSE BILL No. 1287

(By Mr. __________)

Passed ___________________ 1983
In Effect ___________________ Passage

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-14-83

OFFICE OF THE GOVERNOR

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COMMITTEE SUBSTITUTE

FOR

H. B. 1287

(By Mr. Farley and Mr. Shiflet)

(Originating in the House Committee on Banking and Insurance)

[Passed February 28, 1983; in effect from passage.]

AN ACT to amend and reenact section two, article twenty-two, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one as amended, and to amend and reenact section six, article thirty of said chapter, all relating to other provisions of chapter applicable; relating to mine subsidence coverage.

Be it enacted by the Legislature of West Virginia:

That section two, article twenty-two, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section six, article thirty of said chapter be amended and reenacted, all to read as follows:

ARTICLE 22. FARMERS' MUTUAL FIRE INSURANCE COMPANIES.

§33-22-2. Other provisions of chapter applicable.

1 Each such company to the same extent such provisions are applicable to domestic mutual insurers shall be governed by
and be subject to the following articles of this chapter: Article
one (definitions), article two (insurance commissioner), article
four (general provisions) except that section sixteen of article
four shall not be applicable thereto, article ten (rehabilitation
and liquidation) except that under the provisions of section
thirty-two of said article ten no assessment shall be levied
against any former member of a farmers’ mutual fire in-
surance company who is no longer a member of such company
at the time the order to show cause was issued, article eleven
(unfair practices and frauds), article twelve (agents, brokers
and solicitors) except that the agents’ license fee shall be one
dollar, article twenty-six (West Virginia Insurance Guaranty
Association Act), and article thirty (mine subsidence in-
surance) except that under the provisions of section six, article
thirty, a farmers’ mutual insurance company shall have the
option of offering mine subsidence coverage to all of its
policyholders but shall not be required to do so; but only to
the extent such provisions are not inconsistent with the pro-
visions of this article.

ARTICLE 30. MINE SUBSIDENCE INSURANCE.

§33-30-6. Mine subsidence coverage.

Beginning the first day of October, one thousand nine
hundred eighty-two, every insurance policy issued or renewed
insuring on a direct basis a structure located in this state shall
include, at a separately stated premium, insurance for loss
occurring on or after October first, one thousand nine hun-
dred eighty-two, caused by mine subsidence if requested by
the insured. The premium charged for coverage shall be the
same as the premium level set by the board. The loss coverage
shall be the loss in excess of two percent of the policy’s total
insured value, but at no time shall the deductible be less than
two hundred fifty dollars nor more than five hundred dol-
lars; and total insured value reinsured by the board shall not
exceed fifty thousand dollars.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

J. M. Wells
Clerk of the Senate

Donald L. Hopf
Clerk of the House of Delegates

Warren E. Brown
President of the Senate

W. Lee B. Lee, Jr.
Speaker House of Delegates

The within ___________ this the __________ day of ___________, 1983.

John R. Dingell
Governor