

No: 1207

APPROVED AND SIGNED BY THE GOVERNOR

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OFFICE OF THE GOVERNOR

Date 3-14-83

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

— ● —

## ENROLLED

Com. Sub. for  
HOUSE BILL No. 1287

(By Mr. Farley + Mr. Shiflet)

— ● —

Passed February 28, 1983

In Effect From Passage



55-7-6-B  
1094

**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**

**H. B. 1287**

(By MR. FARLEY and MR. SHIFLET)

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(Originating in the House Committee on Banking and Insurance)

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

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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
- 2 applicable to domestic mutual insurers shall be governed by

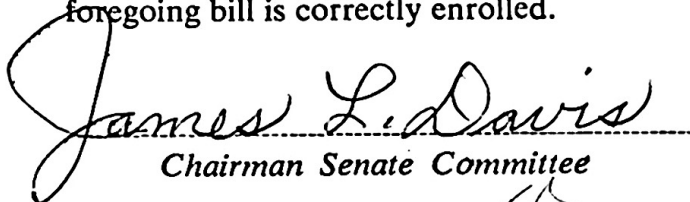
3 and be subject to the following articles of this chapter: Article  
4 one (definitions), article two (insurance commissioner), article  
5 four (general provisions) except that section sixteen of article  
6 four shall not be applicable thereto, article ten (rehabilitation  
7 and liquidation) except that under the provisions of section  
8 thirty-two of said article ten no assessment shall be levied  
9 against any former member of a farmers' mutual fire in-  
10 surance company who is no longer a member of such company  
11 at the time the order to show cause was issued, article eleven  
12 (unfair practices and frauds), article twelve (agents, brokers  
13 and solicitors) except that the agents' license fee shall be one  
14 dollar, article twenty-six (West Virginia Insurance Guaranty  
15 Association Act), and article thirty (mine subsidence in-  
16 surance) except that under the provisions of section six, article  
17 thirty, a farmers' mutual insurance company shall have the  
18 option of offering mine subsidence coverage to all of its  
19 policyholders but shall not be required to do so; but only to  
20 the extent such provisions are not inconsistent with the pro-  
21 visions of this article.

**ARTICLE 30. MINE SUBSIDENCE INSURANCE.**

**§33-30-6. Mine subsidence coverage.**

1 Beginning the first day of October, one thousand nine  
2 hundred eighty-two, every insurance policy issued or renewed  
3 insuring on a direct basis a structure located in this state shall  
4 include, at a separately stated premium, insurance for loss  
5 occurring on or after October first, one thousand nine hun-  
6 dred eighty-two, caused by mine subsidence if requested by  
7 the insured. The premium charged for coverage shall be the  
8 same as the premium level set by the board. The loss coverage  
9 shall be the loss in excess of two percent of the policy's total  
10 insured value, but at no time shall the deductible be less than  
11 two hundred fifty dollars nor more than five hundred dol-  
12 lars; and total insured value reinsured by the board shall not  
13 exceed fifty thousand dollars.

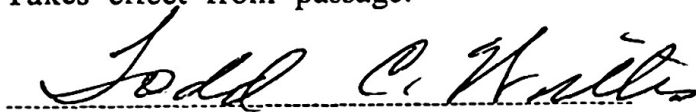
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

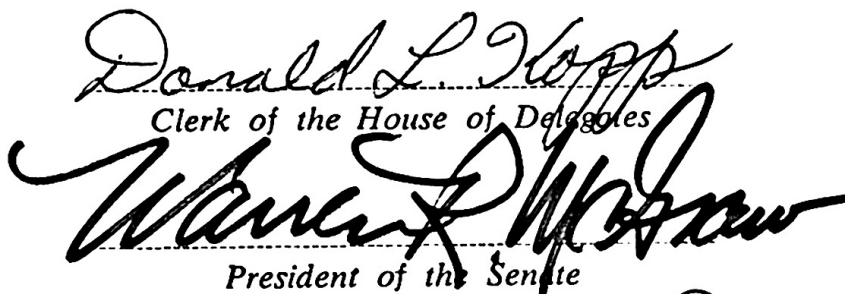
  
Chairman Senate Committee

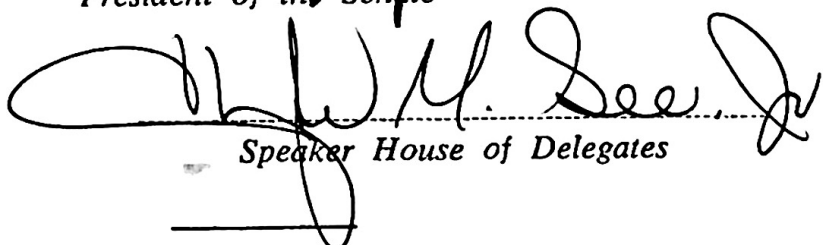
  
Chairman House Committee

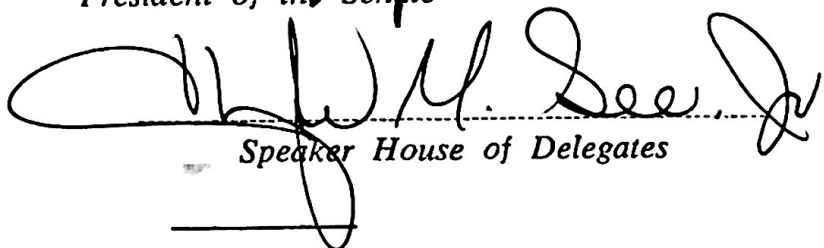
Originating in the House.

Takes effect from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within is approved this the 14  
day of March, 1983.

  
Governor

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