WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

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ENROLLED

HOUSE BILL No. 1937

(By Del. Roop and Del. Ryan)

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Passed March 8, 1986

In Effect Passage
ENROLLED
H. B. 1937
(By Delegate Roop and Delegate Ryan)

[Passed March 8, 1986; in effect from passage.]

AN ACT to amend and reenact section eight, article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to municipalities; general and specific powers; group insurance programs authorized; coverage for spouses and dependents of regular employees and for retired employees; and providing for guaranteed coverage of retirees, upon their payment of the full cost of coverage, as a condition precedent to a municipality changing insurance carriers.

Be it enacted by the Legislature of West Virginia:

That section eight, article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.

§8-12-8. Group insurance programs authorized.

1 Every municipality shall have plenary power and 2 authority to negotiate for, secure and adopt for the 3 regular employees thereof (other than provisional, 4 temporary, emergency and intermittent employees) who 5 are in employee status with such municipality on and
after the effective date of this section and for their spouses and dependents, a policy or policies of group insurance written by a carrier or carriers chartered under the laws of any state and duly licensed to do business in this state and covering life; health; hospital care; surgical or medical diagnosis, care, and treatment; drugs and medicines; remedial care; other medical supplies and services; or any other combination of these; and any other policy or policies of group insurance which in the discretion of the governing body bear a reasonable relationship to the foregoing coverages. The provisions and terms of any such group plan or plans of insurance shall be approved in writing by the insurance commissioner of this state as to form, rate and benefits.

The municipality is hereby authorized and empowered to pay the entire premium cost, or any portion thereof, of said group policy or policies. Whenever the above-described regular employees shall indicate in writing that they have subscribed to any of the aforesaid insurance plans on a group basis and the entire cost thereof is not paid by the municipality, the municipality is hereby authorized and empowered to make periodic premium deductions of the amount of the contribution each such subscribing employee is required to make for such participation from the salary or wage payments due each such subscribing employee as specified in a written assignment furnished to the municipality by each such subscribing employee.

When a participating employee shall retire from his employment, he may, if he so elects, remain a member of the group plan and retain coverage for his spouse and dependents, by paying the entire premium for the coverage involved. Spouses and dependents of any deceased member may remain a member of the group plan by paying the entire premium for the coverage: Provided, That nothing herein shall be construed as prohibiting the municipality from paying a portion or all of the cost of any coverage. In the event that a municipality changes insurance carriers, as a condition precedent to any such change, the municipality shall
47 assure that all retirees, their spouses and dependents, 
48 and the spouses and dependents of any deceased 
49 member are guaranteed acceptance, at the same cost for 
50 the same coverage as regular employees of similar age 
51 groupings, their spouses and dependents.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Williams  
Chairman Senate Committee

Floyd Fuller  
Chairman House Committee

Originating in the House.

Takes effect from passage.

Zall C. Williams  
Clerk of the Senate

Donald S. Kopp  
Clerk of the House of Delegates

Dan Tomsic  
President of the Senate

Joseph P. Alleva  
Speaker of the House of Delegates

The within .................. this the 26th day of March, 1986.

Ann W. Davis  
Governor
DED TO THE
GOVERNOR
Date 3/21/86
Time 5:19p.m.