

No: 1937

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986



ENROLLED

HOUSE BILL No. 1937

(By ~~Mr.~~ Del. Roop & Del. Ryan)



Passed March 8, 1986

In Effect From 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

6 after the effective date of this section and for their
7 spouses and dependents, a policy or policies of group
8 insurance written by a carrier or carriers chartered
9 under the laws of any state and duly licensed to do
10 business in this state and covering life; health; hospital
11 care; surgical or medical diagnosis, care, and treatment;
12 drugs and medicines; remedial care; other medical
13 supplies and services; or any other combination of these;
14 and any other policy or policies of group insurance
15 which in the discretion of the governing body bear a
16 reasonable relationship to the foregoing coverages. The
17 provisions and terms of any such group plan or plans
18 of insurance shall be approved in writing by the
19 insurance commissioner of this state as to form, rate and
20 benefits.

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

35 When a participating employee shall retire from his
36 employment, he may, if he so elects, remain a member
37 of the group plan and retain coverage for his spouse and
38 dependents, by paying the entire premium for the
39 coverage involved. Spouses and dependents of any
40 deceased member may remain a member of the group
41 plan by paying the entire premium for the coverage:
42 *Provided,* That nothing herein shall be construed as
43 prohibiting the municipality from paying a portion or
44 all of the cost of any coverage. In the event that a
45 municipality changes insurance carriers, as a condition
46 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.

Sidd C. Miller
Clerk of the Senate

Donald G. Kopp
Clerk of the House of Delegates

Dan Tonkovich
President of the Senate

Joseph P. Allright
Speaker of the House of Delegates

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

Anna. Phares
Governor

ATED TO THE
GOVERNOR

Date 3/21/86

Time 5:01 p.m.

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Division of State
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