WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 257

(By Senators Upston and Shilliam)

PASSED March 10, 1988
In Effect 90 days from Passage
ENROLLED

Senate Bill No. 257

(BY SENATORS HYLTON AND WILLIAMS)

[Passed March 10, 1988; in effect ninety days from passage.]

AN ACT to amend and reenact section thirty-four, article twenty-three, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to insurance; increase amount of death benefits exemption for certain societies.

Be it enacted by the Legislature of West Virginia:

That section thirty-four, article twenty-three, 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 23. FRATERNAL BENEFIT SOCIETIES.

§33-23-34. Exemption of certain societies.

1 (a) Nothing contained in this article shall be so construed as to affect or apply to:
2 (1) Grand or subordinate lodges of societies, orders or associations now doing business in this state which provide benefits exclusively through local or subordinate lodges;
3 (2) Orders, societies or associations which admit to membership only persons engaged in one or more crafts or hazardous occupations, in the same or similar lines of business insuring only their own members, their families
and descendants of members and the ladies' societies or
ladies' auxiliaries to such orders, societies or associations;
(3) Domestic societies which limit their membership to
employees of a particular city or town, designated firm,
business house or corporation which provide for a death
benefit of not more than four hundred dollars or disability
benefits of not more than three hundred fifty dollars to any
person in any one year, or both; or
(4) Domestic societies or associations of a purely
religious, charitable or benevolent description, which
provide for a death benefit of not more than two thousand
dollars or for disability benefits of not more than three
hundred fifty dollars to any one person in any one year, or
both.
(b) Any such society or association described in
subdivision (3) or (4), subsection (a) of this section which
provides for death or disability benefits for which benefit
certificates are issued, and any such society or association
included in subdivision (4) which has more than one
thousand members, shall not be exempted from the
provisions of this article but shall comply with all
requirements thereof.
(c) No society which, by the provisions of this section, is
exempt from the requirements of this article, except any
society described in subdivision (2), subsection (a) of this
section, shall give or allow, or promise to give or allow to
any person any compensation for procuring new members.
(d) Every society which provides for benefits in case of
death or disability resulting solely from accident, and
which does not obligate itself to pay natural death or sick
benefits shall have all of the privileges and be subject to all
the applicable provisions and rules of this article except
that the provisions thereof relating to medical examination,
valuations of benefit certificates, and incontestability, shall
not apply to such society.
(e) The commissioner may require from any society or
association, by examination or otherwise, such information
as will enable him to determine whether such society or
association is exempt from the provisions of this article.
(f) Societies, exempted under the provisions of this
section, shall also be exempt from all other provisions of
this chapter.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

 Clerk of the Senate

 Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within...this the...day of March, 1988.

Governor