WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

ENROLLED

Com. Sub. for

HOUSE BILL No. 2182

(By Delegates

Phillips, Gallagher, Vest and Michall)

Passed April 9, 1993

In Effect From Passage
AN ACT to amend and reenact section nineteen, article twelve, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to prohibiting an insurance agent from transacting any business with unlicensed insurers, brokers or solicitors or transacting any business on behalf of an insurer prior to being appointed as agent for such insurer; exceptions.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 12. AGENTS, BROKERS, SOLICITORS AND EXCESS LINE.

§33-12-19. Agent to deal only with licensed insurer, broker or solicitor; appointment as agent required prior to transacting business.

(a) An agent may not accept any risk, place any insurance or issue any policy except with an insurer licensed in this state and for which insurer such agent has been appointed and licensed.
(b) An agent may not accept any contract of insurance from any broker not licensed in this state.

(c) An agent may not employ or accept the services of any solicitor not duly appointed and licensed as solicitor for such agent.

(d) An agent may not solicit, market, sell or transact any business of any kind on behalf of any insurer until after the agent has been appointed as agent for that insurer pursuant to the provisions of this article and such appointment has been approved by the commissioner of insurance.

(e) Notwithstanding any other provision in this section to the contrary, an agent may, without an appointment, submit to an insurer an inquiry and obtain a bid for any kind of life insurance, health insurance or annuity for which the agent has a valid and effective license if due insurer has a valid and effective certificate of authority under this article for the kind of insurance with respect to which the inquiry is made.
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 ninety days from passage.

Clerk of the Senate

Cliff of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 6th day of May, 1993.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/23/93
Time 11:33 am