WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED

HOUSE BILL No. 2265

(By Delegates Delliglione, Dampsey, Nesbitt, and Gillis)

Passed March 2, 1995

In Effect 90 Days From Passage
ENROLLED

H. B. 2265

(By Delegates Gallagher, Dempsey, Nesbitt and Tillis)

[Passed March 2, 1995; in effect ninety days from passage.]

AN ACT to amend article thirteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen-a; and to amend article fourteen of said chapter by adding thereto two new sections, designated sections thirty and thirty-a, all relating to the payment of claims to beneficiaries of life insurance policies; and providing for interest on proceeds from the date of death of the insured.

Be it enacted by the Legislature of West Virginia:

That article thirteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fourteen-a; and that article fourteen of said chapter be amended by adding thereto two new sections, designated sections thirty and thirty-a, all to read as follows:

ARTICLE 13. LIFE INSURANCE.

§33-13-14a. Payment of interest on death claims.

(a) On and after the effective date of this section, any life insurance company authorized to do business in this state shall pay interest, in accordance with subsection (b) of this section and subject to subsection (c) of this section, on any proceeds that become due upon the death of the insured pursuant to the terms of a life insurance policy
other than a credit life insurance policy and that are not paid in accordance with the terms of the contract, upon the date the proceeds become due. For purposes of this section, the proceeds of a life insurance policy become due on the date of death of the insured.

(b) Interest payable pursuant to subsection (a) of this section shall be computed from the date of death at the current rate of interest on proceeds left on deposit with the insurer.

(c) Subsection (a) of this section does not require, and shall not be construed as requiring, the payment of interest unless the insured was a resident of this state on the date of his or her death.

ARTICLE 14. GROUP LIFE INSURANCE.

§33-14-30. Payment of claims.

There shall be a provision that when a policy shall become a claim by the death of the insured, settlement shall be made upon receipt of due proof of death and, at the insurer's option, surrender of the policy and/or proof of the interest of the claimant. If an insurer shall specify a particular period prior to the expiration of which settlement shall be made, such period shall not exceed two months from the receipt of such proofs.

§33-14-30a. Payment of interest on death claims.

(a) On and after the effective date of this section, any life insurance company authorized to do business in this state shall pay interest, in accordance with subsection (b) of this section and subject to subsection (c) of this section, on any proceeds that become due upon the death of the insured pursuant to the terms of a life insurance policy other than a credit life insurance policy and that are not paid in accordance with the terms of the contract, upon the date the proceeds become due. For purposes of this section, the proceeds of a life insurance policy become due on the date of death of the insured.

(b) Interest payable pursuant to subsection (a) of this section shall be computed from the date of death at the current rate of interest on proceeds left on deposit with the insurer.
(c) Subsection (a) of this section does not require, and shall not be construed as requiring, the payment of interest unless the insured was a resident of this state on the date of his or her death.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Polly Schoonover
Chairman Senate Committee

Ernest E. Moore
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Barrett Holmes
Clerk of the Senate

Donald V. Webb
Clerk of the House of Delegates

Earl Ray Tomblin
President of the Senate

Chick Culver
Speaker of the House of Delegates

The within is approved this the 14th day of March, 1995.

Jay Rockefeller
Governor
PRESENTED TO THE

G. VENABLE

Date 2/8/25
Time 2:10 pm