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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



## ENROLLED

*Committee Substitute for*

SENATE BILL NO. 226

(By Senators DITMAR & CRAIG)



PASSED MARCH 3, 1995

In Effect 90 days from Passage

**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**Senate Bill No. 226**

(SENATORS DITTMAR AND CRAIGO, *original sponsors*)

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[Passed March 3, 1995; in effect ninety days from passage.]

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AN ACT to amend article seventeen, 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 nine-a, relating to the payment of insurance claims for damage to structures; and the insurers, responsibilities to their insureds.

*Be it enacted by the Legislature of West Virginia:*

That article seventeen, 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 nine-a, to read as follows:

**ARTICLE 17. FIRE AND MARINE INSURANCE.**

**§33-17-9a. Disbursement of insurance proceeds.**

1     Upon notice of a claim of an insured total loss to a  
2     structure located in this state, insurance companies must

3 notify the insured of any coverage in the insurance  
4 policy providing cleanup, removal of any refuse, debris,  
5 remnants or remains of the dwelling and appurtenances  
6 and securing the structure. The notification shall be by  
7 letter to the insured, mailed within ten days of the  
8 notification of the claim, and shall include, but not be  
9 limited to:

10 (a) The terms and limits of coverage designated by the  
11 insurance policy for securing, cleanup and removal; and

12 (b) Any time limitations imposed on the insured for  
13 securing, cleanup and removal.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Randy Schroyer*  
.....  
Chairman Senate Committee

*Ernest C. Moore*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage)

*Carroll Williams*  
.....  
Clerk of the Senate

*Donald L. Kepp*  
.....  
Clerk of the House of Delegates

*Earl Ray Tomblin*  
.....  
President of the Senate

*Paul Abner*  
.....  
Speaker House of Delegates

The within *is* approved this the *14<sup>th</sup>* .....

day of *March* ....., 1995.

*Gaston Capner*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/8/95

Time 4:56 p