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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



# ENROLLED

## House Bill No. 2550

(By Delegates Jenkins, L. White,  
Thompson and Beane)



Passed March 14, 1998

In Effect Ninety Days from Passage

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OFFICE OF THE CLERK  
SECRETARY OF STATE

**ENROLLED**

**H. B. 2550**

(BY DELEGATES JENKINS, L. WHITE, THOMPSON AND BEANE)

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[Passed March 14, 1998; in effect ninety days from passage.]

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AN ACT to amend and reenact section three, article six-a, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to cancellation or nonrenewal of automobile liability insurance policies; providing that such cancellation notices may include the amount of premium due.

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

That section three, article six-a, 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 6A. CANCELLATION OR NONRENEWAL OF AUTOMOBILE LIABILITY POLICIES.**

**§33-6A-3. Insurer to specify reasons for cancellation; immunity from liability or suit.**

1 In every instance in which a policy or contract of  
2 automobile liability insurance which has been in effect  
3 sixty days or which has been renewed is canceled by the  
4 insurer, the insurer or its duly authorized agent shall, in  
5 the notice of cancellation or at the written request of the  
6 named insured, specify the reason or reasons relied upon  
7 by the insurer for the cancellation. These reasons shall be  
8 stated in a written notice and shall, if not provided in the  
9 notice of cancellation, be made within thirty days after the

10 request: *Provided*, That there shall be no liability on the  
11 part of, and no cause of action shall arise against, any  
12 insurer or its agents or its authorized investigative sources  
13 for any statements made with probable cause by the  
14 insurer, agent or investigative source in a written notice  
15 required to be given pursuant to this section. A notice of  
16 cancellation for nonpayment of premium is not void on  
17 the grounds that the notice includes the amount of  
18 premium due or the date by which payment was to be  
19 paid.

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

*Bob Schroeder*  
Chairman Senate Committee

*Nick Fantasia*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Carmela DeMaio*  
Clerk of the Senate

*Bryce D. Boy*  
Clerk of the House of Delegates

*Earl Ray Tomblin*  
President of the Senate

*Jeff Raab*  
Speaker of the House of Delegates

The within *approved* this the *27th*  
day of *March*, 1998.

*Lee R. Anderson*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/26/98

Time 10:07 am