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LEGISLATIVE SERVICES DIVISION

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



# ENROLLED

COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 4502**

(By Delegates Beane, Mahan, Hutchins,  
Cann, H. White and Paxton)



Passed March 7, 2000

In Effect Ninety Days from Passage

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LEGISLATIVE SERVICES  
STATE OF WEST VIRGINIA

## **ENROLLED**

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FOR

## **H. B. 4502**

(BY DELEGATES BEANE, MAHAN, HUTCHINS,  
CANN, H. WHITE AND PAXTON)

[Passed March 7, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact section eight, article twenty-two, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to farmers' mutual fire insurance companies; allowing the companies to insure property located outside of this state; and providing minimum capital and surplus requirements for the companies conducting insurance business outside of this state.

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

That section eight, article twenty-two, 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 22. FARMERS' MUTUAL FIRE INSURANCE COMPANIES.**

**§33-22-8. Kinds of coverage authorized.**

1 (a) Any company subject to the provisions of this article  
2 may issue policies of insurance on property, signed by its  
3 president and secretary, providing insurance against:

4 (1) Loss or damage to dwelling houses, stores and all kinds  
5 of buildings and household furniture, goods, merchandise and  
6 chattels of every description, and all other property by fire, and  
7 allied coverages, including lightning, aircraft, windstorm,  
8 tornado, cyclone, hail, frost or snow, smoke, weather or  
9 climatic conditions, including excess or deficiency of moisture,  
10 flood, rain or drought, business interruptions, riot attending a  
11 strike or civil commotion, riot, vehicle and by explosion  
12 whether fire ensues or not;

13 (2) Loss or damage by insects or disease to farm crops or  
14 products and loss of rental value of land used in producing  
15 those crops or products;

16 (3) Loss or damage by water or other fluid to any goods or  
17 premises arising from the breakage or leakage of sprinklers,  
18 pumps or other apparatus erected for extinguishing fires, or of  
19 other conduits or containers, or by water entering through leaks  
20 or openings in buildings and of water pipes, and against  
21 accidental injury to such sprinklers, pumps, apparatus, conduits,  
22 containers or water pipes;

23 (4) Loss or damage to domestic farm animals by dogs or  
24 wild animals.

25 (b) The commissioner may, for good cause shown or on  
26 application of the company, limit the license of a company to  
27 make insurance to any one or more of the perils or coverages  
28 set forth in subsection (a) of this section.

29 (c) In addition any such company may apply to the com-  
30 missioner for an extension of its license, and upon complying  
31 with reasonable standards established by the commissioner to

32 assure the solvency of the company and the protection of its  
33 policyholders, may in the discretion of the commissioner be  
34 granted an extension of its license to permit the company to  
35 issue policies of insurance on risks insuring against one or more  
36 of the following:

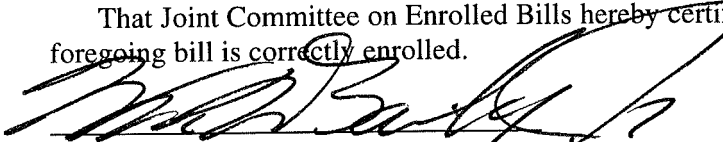
37 (1) Legal liability for the death, injury, or disability of any  
38 human being, or for damage to property, excluding liability  
39 resulting from the ownership, maintenance, or use of vehicles  
40 or aircraft; and provisions for medical, hospital, surgical and  
41 disability benefits to injured persons and funeral and death  
42 benefits to dependents, beneficiaries or personal representatives  
43 of persons killed, irrespective of legal liability of the insured,  
44 when issued as an incidental coverage with or supplemental to  
45 the liability coverage.

46 (2) Loss or damage to property by burglary, theft, larceny,  
47 robbery, vandalism, malicious mischief, or wrongful conver-  
48 sion, or any attempt at any of the foregoing.

49 (3) Personal property floater insurance.

50 (d) A company insuring property located outside this state  
51 must meet the capital and surplus requirements of section five-  
52 b, article three of this chapter.

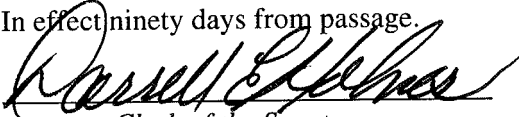
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

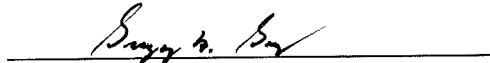
  
Chairman Senate Committee

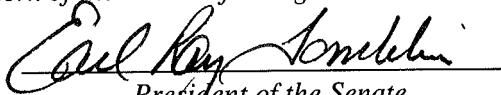
  
Chairman House Committee

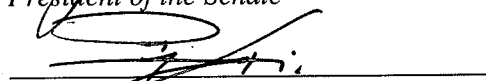
Originating in the House.

In effect ninety days from passage.

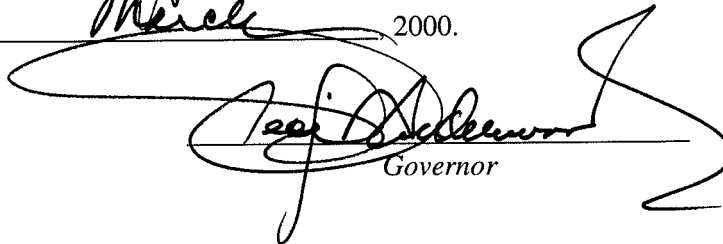
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within approved this the 13th  
day of March 2000.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/9/00

Time 10:00am