

HB 4137

FILED

2008 MAR 13 PM 4:18

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2008



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 4137**

(By Delegate Morgan)



Passed March 5, 2008

In Effect Ninety Days from Passage

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 4137

(BY DELEGATE MORGAN)

FILED

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OF WEST VIRGINIA
SECRETARY OF STATE

[Passed March 5, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §33-17-9a of the Code of West Virginia, 1931, as amended, relating to clarifying that a municipality and county will be notified in writing by an insurance company when the policy provides for cleanup or removal of the remains of a structure when a total loss to a structure occurs within that county or municipality.

Be it enacted by the Legislature of West Virginia:

That §33-17-9a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 17. FIRE AND MARINE INSURANCE.

§33-17-9a. Notice 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, and the municipality and county in which

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

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

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

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

Clayton White
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Marcell E. Hobbs
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

Carl Roy Tomblin
President of the Senate

[Signature]
Speaker of the House of Delegates

The within *is approved* this the *13th*
day of *March*, 2008.

[Signature]
Governor

PRESENTED TO THE
GOVERNOR

MAR 10 2008

Time

4:30 pm