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
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 structure located in this state, insurance companies must notify the insured, and the municipality and county in which
the structure is located, of any coverage in the insurance policy providing cleanup, removal of any refuse, debris, remnants or remains of the dwelling and appurtenances and securing the structure. The notification shall be by letter to the insured and municipality and county in which the structure is located, mailed within ten days of the notification of the claim, and shall include, but not be limited to:

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

(b) Any time limitations imposed on the insured for securing, cleanup and removal.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chandy White
Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Darrell E. Evanchuk
Clerk of the Senate

Clerk of the House of Delegates

Gail Ryan Somma
President of the Senate

Speaker of the House of Delegates

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

Jared H. Polinzi
Governor