

COMMITTEE SUBSTITUTE

FOR

**H. B. 4486**

---

(BY DELEGATES MILEY, HATFIELD, ELLEM, POORE,  
REYNOLDS, HUNT, WALTERS AND MANCHIN)

---

(Originating in the Committee on the Judiciary)  
[February 22, 2012]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-27, relating to the disclosure of certain information regarding liability insurance coverage.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §55-7-27, to read as follows:

**ARTICLE 7. ACTIONS FOR INJURIES.**

**§55-7-27. Disclosure of certain insurance information required.**

- 1       (a) (1) Each insurer which does or may provide liability
- 2       insurance coverage to pay all or a portion of any claim which

3 might be made shall provide, within thirty days of a written  
4 request of the claimant, or the claimant's attorney, a  
5 statement, under oath, of a corporate officer or the insurer's  
6 claims manager or superintendent providing the following  
7 information relating to each known policy of insurance,  
8 including excess or umbrella insurance:

9 (A) The name of the insurer;

10 (B) The name of each insured;

11 (C) The limits of the liability coverage;

12 (D) A statement of any policy or coverage defense which  
13 the insurer reasonably believes is available to the insurer at  
14 the time of the filing of the statement;

15 (E) A copy of the policy;

16 (2) In addition, the insured, or his or her insurance agent,  
17 upon written request of the claimant or the claimant's  
18 attorney, shall disclose the name and coverage of each known  
19 insurer to the claimant and shall forward the request for  
20 information as required by this subsection to all affected  
21 insurers. The insurer shall then supply the information

22 required in this subsection to the claimant within thirty days  
23 of the request.

24 (b) The statement required by subdivision (1), subsection  
25 (a) of this section shall be amended immediately upon  
26 discovery of facts calling for an amendment to the statement.