

1                                   **Senate Bill No. 434**

2 (By Senators Tucker, Fitzsimmons, Laird, Miller, Snyder, Walters,  
3           Yost, Kessler (Mr. President), Sypolt and Plymale)

4                                   \_\_\_\_\_

5 [Introduced March 5, 2013; referred to the Committee on Banking  
6                                   and Insurance.]

7                                   \_\_\_\_\_

8

9

10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11       adding thereto a new section, designated §33-20-18a, relating  
12       to prohibiting insurers from increasing premiums following  
13       payment of a claim when event resulting in claim did not  
14       result from negligent acts of omissions of insured.

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

16       That the Code of West Virginia, 1931, as amended, be amended  
17 by adding thereto a new section, designated §33-20-18a, to read as  
18 follows:

19 **ARTICLE 20. RATES AND RATING ORGANIZATIONS.**

20 **§33-20-18a. Increase of premium charges prohibited under certain**  
21                                   **circumstances.**

22       Premium charges for all lines of motor vehicle coverage may  
23 not be increased following an event which results in a claim

1 payment under the applicable policy if the event resulting in a  
2 claim payment was not caused by the negligent acts of omissions of  
3 an insured.

NOTE: The purpose of this bill is to prohibit the increase of premiums for motor vehicle insurance coverage following an incident in which the insured person is not at fault.

This section is new; therefore, strike-throughs and underscoring have been omitted.