

SB 479

FILED

2004 APR -5 P 4: 24

CLYDE WEST VIRGINIA  
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE  
*REGULAR SESSION, 2004*

**ENROLLED**

SENATE BILL NO. 479

(By Senators Minard and Jenkins )

PASSED March 13, 2004

In Effect 90 days from Passage

FILED

2004 APR -5 P 4: 24

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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**Senate Bill No. 479**

(BY SENATORS MINARD AND JENKINS)

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[Passed March 13, 2004; in effect ninety days from passage.]

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AN ACT to amend and reenact §33-3-7 of the code of West Virginia, 1931, as amended, relating to licensing foreign insurers; and exemption from certain other statutory provisions.

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

That §33-3-7 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 3. LICENSING, FEES AND TAXATION OF INSURERS.**

**§33-3-7. Issuance of license to transact insurance; kinds of insurance authorized to be transacted.**

1 (a) Upon receiving the application and supporting  
2 documents required by section four of this article, if the  
3 commissioner is satisfied that an insurer has complied  
4 with the terms of its charter and the provisions of this  
5 chapter and other laws of this state and that such insurer  
6 is solvent and will transact insurance in a legal, proper

7 and just manner, he or she may issue to such insurer a  
8 license authorizing it to transact insurance in this state.  
9 Such license may authorize an insurer which otherwise  
10 qualifies therefor to transact life and/or accident and  
11 sickness insurance or an insurer other than a life insurer to  
12 transact any of the kinds of insurance other than life for  
13 which it otherwise qualifies. However, as to any life  
14 insurer which, immediately prior to the effective date of  
15 this chapter, lawfully held a license granting to it the right  
16 to transact in West Virginia additional kinds of insurance  
17 other than life and accident and sickness, the commis-  
18 sioner may continue to license said insurer to transact the  
19 same kinds of insurance as those specified in such prior  
20 license so long as such insurer is otherwise in compliance  
21 with this chapter.

22 (b) A foreign insurer that obtains a license pursuant to  
23 the provisions of this section may transact the business of  
24 insurance in this state without obtaining the certificate of  
25 authority from the secretary of state otherwise required by  
26 the provisions of section 1501, article fifteen, chapter  
27 thirty-one-d of this code.

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

*[Signature]*  
.....  
Chairman Senate Committee

*Greg Butcher*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Parrell Holmes*  
.....  
Clerk of the Senate

*Suzanne M. Boyd*  
.....  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is approved* ..... this the *5th* .....  
Day of *April* ....., 2004.

*Bob Wise*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

DATE 3/26/64

TIME 3:25 P