

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 3077

BY DELEGATE WALTERS, FLEISCHAUER, KESSINGER,
PAYNTER, EVANS, E., STORCH, FLUHARTY, LONGSTRETH,
PUSHKIN, LANE AND ROWE

[Introduced March 14, 2017; Referred
to the Committee on Banking and Insurance then the
Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §31A-9-1, relating to preventing discrimination on the basis of sex or marital
 3 status by a financial institution or person in relation to the issuance or operation of
 4 insurance or pension or retirement plans or coverage.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended and reenacted, by adding
 2 thereto a new article, designated §31A-9-1, to read as follows:

**STATUS ARTICLE 9. UNLAWFUL TO DISCRIMINATE ON BASIS OF SEX OR
 MARITAL.**

§31A-9-1. Unlawful discriminatory practice for a financial institution or person.

3 (a) It is an unlawful discriminatory practice for a financial institution or person to
 4 discriminate solely on the basis of sex or marital status in the issuance or operation of any type
 5 of insurance policy, plan, or coverage or in any pension or retirement plan, program, or coverage,
 6 including discrimination in regard to rates or premiums and payments or benefits.

7 (b) This section does not apply to any insurance policy, plan, or coverage or to any pension
 8 or retirement plan, program, or coverage in effect prior to October 1, 1985.

9 (c) It is not a violation of the prohibition against marital status discrimination in this section
 10 for an employer to provide greater or additional contributions to a bona fide group insurance plan
 11 for employees with dependents than to those employees without dependents or with fewer
 12 dependents.

NOTE: The purpose of this bill is to prevent discrimination on the basis of sex or marital status by a financial institution or person in relation to insurance or pension.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.