

FINAL BILL REPORT

SSB 5750

C 428 L 97
Synopsis as Enacted

Brief Description: Allowing commercial property casualty policies to be issued prior to filing the form or rate with the insurance commissioner.

Sponsors: Senate Committee on Financial Institutions, Insurance & Housing (originally sponsored by Senators Winsley, Prentice, Hale and Heavey).

Senate Committee on Financial Institutions, Insurance & Housing
House Committee on Financial Institutions & Insurance

Background: Under current law, an insurer must file its forms and rates with the office of the Insurance Commissioner before using the forms and rates. After receiving the filing, the commissioner has a 30-day period to review it. The commissioner may extend the 30-day period for an additional 15 days if the commissioner notifies the insurance company of the extension within the 30-day waiting period. A filing meets the requirements of the law unless it is disapproved by the commissioner within the 30-day waiting period, or during the 15-day extension.

Summary: Commercial property casualty policies may be issued prior to filing the rates and forms with the commissioner. Commercial property casualty rates and forms must be filed within 30 days of issuing the policies. Within 30 days after receiving the filing, the commissioner may disapprove the filing. If the filing is disapproved, the commissioner must give notice to the insurance company of its failure to meet the requirements under the law and specify how the filing fails to meet these requirements. The notice must also state when the filing is no longer effective. The commissioner is permitted to extend the 30-day period an additional 15 days if notice is given to the insurer prior to expiration of the 30-day period. The disapproval of the filing does not affect any contract issued prior to the date when the commissioner states the filing is no longer effective, except that the insurer must issue a revised form and rate to comply with the commissioner's disapproval. If a hearing is held because the commissioner rejects the filing, the burden of proof is on the commissioner to show how the filing failed to meet the legal requirements for approval.

Votes on Final Passage:

Senate	43	0
House	67	30 (House amended)
Senate	38	8 (Senate concurred)

Effective: July 27, 1997