
SENATE BILL 5725

State of Washington

64th Legislature

2015 Regular Session

By Senator Benton

Read first time 01/30/15. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to surplus lines; and amending RCW 48.15.050 and
2 48.15.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 48.15.050 and 1947 c 79 s .15.05 are each amended to
5 read as follows:

6 Every insurance contract procured and delivered as a surplus line
7 coverage pursuant to this chapter (~~shall~~) must have stamped upon it
8 and be initialed by or bear the name of the surplus line broker who
9 procured it, the following:

10 "This contract is registered and delivered as a surplus line
11 coverage under the insurance code of the state of Washington,
12 (~~enacted in 1947~~) Title 48 RCW."

13 **Sec. 2.** RCW 48.15.120 and 2011 c 31 s 8 are each amended to read
14 as follows:

15 (1) On or before the first day of March of each year each surplus
16 line broker must remit to the state treasurer through the
17 commissioner a tax on the premiums, exclusive of sums collected to
18 cover federal and state taxes and examination fees, on surplus line
19 insurance subject to tax transacted by him or her during the
20 preceding calendar year as shown by his or her annual statement filed

1 with the commissioner, and at the same rate as is applicable to the
2 premiums of authorized foreign insurers under this code. The tax when
3 collected must be credited to the general fund.

4 (2) For property and casualty insurance other than industrial
5 insurance under Title 51 RCW, ((if)) when this state is the insured's
6 home state:

7 (a) If the surplus line insurance covers risks or exposures
8 located inside the United States, its territories, or both, the tax
9 so payable must be computed upon the entire premium under subsection
10 (1) of this section, without regard to whether the policy covers
11 risks or exposures that are located in this state; and

12 (b) If the surplus line insurance covers risks or exposures
13 located outside of the United States and its territories, no tax
14 under subsection (1) of this section is due or payable for the
15 premium properly allocable to the risks and exposures located outside
16 the United States and its territories.

17 (3) For all other lines of insurance, if a surplus line policy
18 covers risks or exposures only partially in this state, the tax so
19 payable must be computed upon the proportion of the premium that is
20 properly allocable to the risks or exposures located in this state.

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