

CERTIFICATION OF ENROLLMENT

SENATE BILL 6396

Chapter 149, Laws of 1992

52nd Legislature
1992 Regular Session

INSURANCE CONTRACTS WITH UNAUTHORIZED PROVIDERS--LIABILITY

EFFECTIVE DATE: 6/11/92

Passed by the Senate February 18, 1992
Yeas 47 Nays 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 6, 1992
Yeas 96 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved April 1, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6396** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

April 1, 1992 - 10:26 a.m.

**Secretary of State
State of Washington**

SENATE BILL 6396

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senators von Reichbauer, Pelz, Erwin, Moore, Vognild and Conner

Read first time 01/28/92. Referred to Committee on Financial
Institutions & Insurance.

1 AN ACT Relating to persons making contracts of insurance with
2 unauthorized insurance providers; and amending RCW 48.15.020.

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

4 **Sec. 1.** RCW 48.15.020 and 1983 1st ex.s. c 32 s 3 are each amended
5 to read as follows:

6 (1) An insurer not thereunto authorized by the commissioner shall
7 not solicit insurance business in this state, nor transact insurance
8 business in this state except as provided in this chapter.

9 (2)(a) No person shall, in this state, represent an unauthorized
10 insurer except as provided in this chapter. This provision shall not
11 apply to any adjuster or attorney at law representing such an insurer
12 from time to time in this state in his or her professional capacity.

13 (b) A person, other than a duly licensed surplus line broker acting
14 in good faith under his or her license, who makes a contract of

1 insurance in this state, directly or indirectly, on behalf of an
2 unauthorized insurer, without complying with the provisions of this
3 chapter, is personally liable for the performance of such contract.

4 (3) Each violation of this section shall constitute a separate
5 offense punishable by a fine of not more than twenty-five thousand
6 dollars, and the commissioner, at the commissioner's discretion, may
7 order replacement of policies improperly placed with an unauthorized
8 insurer with policies issued by an authorized insurer. Violations may
9 result in suspension or revocation of a license.

Passed the Senate February 18, 1992.

Passed the House March 6, 1992.

Approved by the Governor April 1, 1992.

Filed in Office of Secretary of State April 1, 1992.