

recoverable in an action by the county prosecutor, and when recovered shall be deposited in the county current expense fund. The assessor shall make the request provided for by this section during the month of January.

Passed the House April 14, 1977.

Passed the Senate May 27, 1977.

Approved by the Governor June 7, 1977.

Filed in Office of Secretary of State June 7, 1977.

CHAPTER 182

[House Bill No. 1260]

INSURANCE—FEES—LICENSING—BOND

AN ACT Relating to insurance; amending section .14.01, chapter 79, Laws of 1947 as last amended by section 8, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.010; amending section .15.07, chapter 79, Laws of 1947 as amended by section 4, chapter 225, Laws of 1959 and RCW 48.15-.070; amending section .17.11, chapter 79, Laws of 1947 as last amended by section 16, chapter 150, Laws of 1967 and RCW 48.17.110; amending section .17.25, chapter 79, Laws of 1947 and RCW 48.17.250; amending section .17.43, chapter 79, Laws of 1947 and RCW 48.17.430; and amending section .17.50, chapter 79, Laws of 1947 as last amended by section 20, chapter 70, Laws of 1965 ex. sess. and RCW 48.17.500.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section .14.01, chapter 79, Laws of 1947 as last amended by section 8, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.010 are each amended to read as follows:

(1) The commissioner shall collect in advance the following fees:

(A) FOR FILING CHARTER DOCUMENTS:

- (i) Original charter documents, bylaws or record of organization of insurers, or certified copies thereof, required to be filed \$ ~~((25.00))~~250.00
- (ii) Amended charter documents, or certified copy thereof, other than amendments of bylaws \$ 10.00
- (iii) No additional charge or fee shall be required for filing any of such documents in the office of the secretary of state.

(B) CERTIFICATE OF AUTHORITY:

- (i) Issuance \$ ~~((+00.00))~~25.00
- (ii) Renewal \$ 25.00

(C) ANNUAL STATEMENT OF INSURER, FILING \$ 20.00

(D) ORGANIZATION OR FINANCING OF DOMESTIC INSURERS AND AFFILIATED CORPORATIONS:

- (i) Application for solicitation permit, filing \$ ~~((+5.00))~~100.00
- (ii) Issuance of solicitation permit \$ 25.00

(E) AGENTS' LICENSES:

- (i) Agent's licenses for life, or disability insurance, only, or both for same insurer, each year \$ ~~((5.00))~~10.00
- (ii) Agent's license for other kind or kinds of insurance, (~~three-year period~~) each year \$ 25.00
 Filing of appointment of each such agent \$ 10.00
- (iii) Limited license issued pursuant to RCW 48-17.190, each year \$ ~~((5.00))~~10.00
- (iv) Temporary license as agent \$ ~~((5.00))~~10.00

(F) BROKERS' LICENSES:

- (i) Resident or nonresident broker, (~~casualty=property or life and disability;~~) each year \$ ~~((25.00))~~50.00
- (ii) (~~All lines broker's license~~ \$ ~~50.00~~)
~~(iii)~~ Surplus line broker, twelve-month period \$100.00
- ~~((iv))~~ (iii) Temporary license as broker \$ ~~((25.00))~~50.00

(G) SOLICITORS' LICENSE, EACH YEAR \$ ~~((5.00))~~10.00

(H) ADJUSTERS' LICENSES:

- (i) Independent adjuster, each year \$ ~~((15.00))~~25.00
- (ii) Public adjuster, each year \$ ~~((15.00))~~25.00

(I) RESIDENT GENERAL AGENT'S LICENSE, EACH YEAR \$ 25.00

(J) EXAMINATION FOR LICENSE, EACH EXAMINATION:

- (i) Filing application for first examination for license \$ ~~((3.00))~~5.00
- (ii) Resident or nonresident broker's license \$ ~~((25.00))~~50.00
- (iii) All other examinations \$ 10.00

(K) MISCELLANEOUS SERVICES:

- (i) Filing other documents \$ ~~((3.00))~~5.00
- (ii) Commissioner's certificate under seal \$ ~~((3.00))~~5.00
- (iii) Copy of documents filed in the commissioner's office, reasonable charge therefor as determined by the commissioner.

(2) All fees so collected shall be remitted by the commissioner to the state treasurer not later than the first business day following, and shall be placed to the credit of the general fund.

Sec. 2. Section .15.07, chapter 79, Laws of 1947 as amended by section 4, chapter 225, Laws of 1959 and RCW 48.15.070 are each amended to read as follows:

Any person deemed by the commissioner to be competent and trustworthy and while maintaining an office at a designated location in this state may be licensed as a surplus line broker, as follows:

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. The license year shall be from the date of issuance of the license.

(3) Prior to issuance of license the applicant shall file with the commissioner and thereafter for as long as the license remains in effect he shall keep in force a bond in favor of the state of Washington in the penal sum of ~~((five))~~ twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. No such bond shall be terminated unless not less than thirty days prior written notice thereof is filed with the commissioner.

Sec. 3. Section .17.11, chapter 79, Laws of 1947 as last amended by section 16, chapter 150, Laws of 1967 and RCW 48.17.110 are each amended to read as follows:

(1) Each applicant for license as agent, broker, solicitor, or adjuster shall prior to the issuance of any such license, personally take and pass to the satisfaction of the examining authority, an examination given as a test of his qualifications and competence, but this requirement shall not apply to:

(a) Applicants for limited licenses under RCW 48.17.190, at the discretion of the commissioner.

(b) Applicants who within the ~~((five-year))~~ two year period next preceding date of application have been licensed in this state under a license requiring qualifications similar to qualifications required by the license applied for or who have successfully completed a course of study recognized as a mark of distinction by the insurance industry and who are deemed by the commissioner to be fully qualified and competent.

(c) Applicants for license as nonresident agent or as nonresident broker or as nonresident adjuster who are duly licensed in their state of residence and who are deemed by the commissioner to be fully qualified and competent for a similar license in this state.

(d) Applicants for an agent's or solicitor's license covering the same kinds of insurance as an agent's or solicitor's license then held by them.

(e) Applicants for an adjuster's license who for a period of one year, a portion of which was in the year next preceding the date of application, have been a full time salaried employee of an insurer or of a general agent to adjust, investigate, or report claims arising under insurance contracts.

(2) Any person licensed as an insurance broker by this state prior to June 8, 1967, who is otherwise qualified to be a licensed insurance broker, shall be entitled to renew his broker's license by payment of the applicable fee for such of the broker's licenses authorized by RCW 48.17.240, as he shall elect, without taking any additional examination, except as provided in subsection (3).

(3) The commissioner may at any time require any licensed agent, broker, solicitor, or adjuster to take and successfully pass an examination testing his competence and qualifications as a condition to the continuance or renewal of his license, if the licensee has been guilty of violation of this code, or has so conducted his affairs under his license as to cause the commissioner reasonably to desire further evidence of his qualifications.

Sec. 4. Section .17.25, chapter 79, Laws of 1947 and RCW 48.17.250 are each amended to read as follows:

(1) Every applicant for a broker's license or for the renewal of a broker's license existing on the effective date of this code shall file with the application or request for renewal and shall thereafter maintain in force while so licensed a bond in favor of the people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of ~~((twenty-five hundred))~~ twenty thousand dollars. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the payment of ~~((twenty-five hundred))~~ twenty thousand dollars. The bond shall be contingent on the accounting by the broker to any person requesting the broker to obtain insurance, for moneys or premiums collected in connection therewith.

(2) Any such bond shall remain in force until the surety is released from liability by the commissioner, or until the bond is canceled by the surety. Without prejudice to any liability accrued prior to such cancellation, the surety may cancel the bond upon thirty days advance notice in writing filed with the commissioner.

Sec. 5. Section .17.43, chapter 79, Laws of 1947 and RCW 48.17.430 are each amended to read as follows:

(1) Prior to the issuance of a license as public adjuster, the applicant therefor shall file with the commissioner and shall thereafter maintain in force while so licensed a surety bond in favor of the people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of ~~((twenty-five hundred))~~ five thousand dollars. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the payment of ~~((twenty-five hundred))~~ five thousand dollars. The bond shall be contingent on the accounting by the adjuster to any insured whose claim he is handling, for moneys or any settlement received in connection therewith.

(2) Any such bond shall remain in force until the surety is released from liability by the commissioner, or until canceled by the surety. Without prejudice to any liability accrued prior to cancellation, the surety may cancel a bond upon thirty days advance notice in writing filed with the commissioner.

(3) Such bond shall be required of any adjuster acting as a public adjuster as of the effective date of this code, or thereafter under any unexpired license heretofore issued.

Sec. 6. Section .17.50, chapter 79, Laws of 1947 as last amended by section 20, chapter 70, Laws of 1965 ex. sess. and RCW 48.17.500 are each amended to read as follows:

(1) Agents' license for life, or life and disability, or disability insurances only shall expire as at 12:01 a.m. o'clock on the first day of October next following date of issuance.

(2) All brokers', solicitors', and adjusters' licenses shall expire as at 12:01 a.m. o'clock on the first day of April next following date of issuance.

(3) Agents' licenses for all other kinds of insurance or combinations thereof shall expire as at 12:01 a.m. o'clock on the first day of April three years after the first day of April nearest to the date of issuance of the license: PROVIDED, That any such license issued or renewed to be effective on or after July 1, 1977, shall

expire as at 12:01 a.m. o'clock on the first day of April next following date of issuance or renewal.

(4) Except as provided in subsection (3) of this section and subject to the right of the commissioner to suspend, revoke, or refuse to renew any license as provided in this code, any such license may be renewed into another like period by filing with the commissioner on or before the expiration date a written request, by or on behalf of the licensee, for such renewal accompanied by payment of the renewal fee as specified in RCW 48.14.010. An agent or broker shall make and file renewal requests on behalf of his solicitors.

(5) If request and fee for renewal of license is filed with the commissioner prior to expiration of the existing license, the licensee may continue to act under such license, unless sooner revoked or suspended, until the issuance of renewal license or until the expiration of fifteen days after the commissioner has refused to renew the license and has mailed order of such refusal to the licensee. Any request for renewal not so filed until after date of expiration may be considered by the commissioner as an application for a new license.

(6) As to all licenses, if request for renewal of license or payment of the license fee is not received by the commissioner prior to expiration date as required under subsection (4) the applicant for renewal of license shall pay to the commissioner and the commissioner shall collect, in addition to the regular license fee, a surcharge for such license as follows: For the first thirty days or part thereof of delinquency the surcharge shall be fifty percent of the license fee; for all delinquencies extending more than thirty days, the surcharge shall be one hundred percent of the license fee. This subsection shall not be deemed to exempt any person from any penalty provided by law for transacting business without a valid and subsisting license, or affect the commissioner's right, at his discretion, to consider such delinquent application as one for a new license.

Passed the House May 4, 1977.

Passed the Senate May 27, 1977.

Approved by the Governor June 7, 1977.

Filed in Office of Secretary of State June 7, 1977.

CHAPTER 183

[House Bill No. 1262]

INSURANCE GUARANTY ASSOCIATIONS—ASSESSMENTS—CREDITS, OFFSETS

AN ACT Relating to insurance; amending section 11, chapter 109, Laws of 1975-'76 2nd ex. sess. and RCW 48.32.145; amending section 9, chapter 259, Laws of 1971 ex. sess. as amended by section 1, chapter 133, Laws of 1975 1st ex. sess. and RCW 48.32A.090; and repealing section 14, chapter 265, Laws of 1971 ex. sess. and RCW 48.32.140.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 11, chapter 109, Laws of 1975-'76 2nd ex. sess. and RCW 48.32.145 are each amended to read as follows:

Every member insurer which during any calendar year shall have paid one or more assessments levied pursuant to RCW 48.32.060(1)(c) as now or hereafter amended shall be entitled to take, as a credit against any premium tax falling due