

CHAPTER 18.

[S. B. 108.]

REVOCATION OR REFUSAL OF INSURANCE
AGENT'S LICENSE.

AN ACT relating to insurance and amending section 6059-45 of Remington & Ballinger's Annotated Codes and Statutes of Washington by adding thereto a section known as 45-A providing for appeals from decisions of the insurance commissioner and providing certain penalties.

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

SECTION 1. That section 6059-45 of Remington & Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended by adding thereto a section known as section 45-A to read as follows:

Amends
Rem.-Bal.
§ 6059-45.
by adding
§ 45-A.

Section 45-A. Whenever the commissioner shall determine to revoke any agent's license heretofore issued, or shall refuse to renew any agent's license on the proper application therefor, or shall refuse to issue any agent's license upon an original application therefor, in carrying out the requirements of chapter 49, Session Laws of 1911, he shall notify the holder or applicant for such license of his intention and shall set a time not less than fifteen days from the date of such notice and shall designate the time and place where the holder or applicant for such license may be heard in his own behalf. The commissioner shall preside at such hearing and may subpoena, compel the attendance, examine, and swear witnesses with like effect as if examined and sworn by a clerk of the superior court. If the commissioner shall decide after such hearing that the license under question shall be revoked, or if he shall determine to withhold the renewal of any such license, or if he shall refuse to issue any license under an original application, he shall enter an order to that effect, setting forth his reasons in writing and shall file a copy thereof in his office and mail a copy to the party holding said license, or to the party applying for the issuance of a license, at the address given in the application. Such order shall not be operative for a period of ten days and if the agent,

Revocation
or refusal
of licenses.

Hearings by
insurance
commissioner.

Appeal to
superior
court.

Bond on
appeal
supersedes
order.

Review by
supreme
court.

Discretion
of court to
impose fine
or cancel
license.

or applicant for a license, shall feel aggrieved by the decision of the commissioner revoking or withholding the license, he may appeal to the superior court of Thurston county by giving notice of such appeal to the commissioner and filing a bond with the clerk of the superior court of Thurston county in the sum of five hundred dollars to be approved by the judge of said court conditioned to pay all costs that may be awarded against such applicant in the event of an adverse decision, said bond and notice to be filed within ten days from the date of the commissioner's decision and the filing of such notice and bond shall supersede the order of the commissioner until the final determination of such appeal. Upon the giving of such notice of appeal and the filing of said bond the commissioner shall certify the reasons given by him for the revocation or withholding of such license to the said superior court, whereupon the judge of said court shall proceed to a hearing and determine the law and the facts, and after such hearing may direct the continuance or issuance of a license, if satisfied that the provisions of this code have not been violated or are not in danger of being violated, or said court may, in its discretion, sustain the decision of the commissioner. Such appeals shall have precedence and shall be determined by the said superior court with the least possible delay. An appeal shall lie to the supreme court from the decision of the superior court.

Upon the hearing of an appeal from the order of the commissioner revoking a license, and if a violation of the law is determined, the court may, in its discretion, if it believes an absolute revocation too severe a penalty for the offense of which the holder of the license is found guilty, impose a fine of from ten dollars to five hundred dollars; the payment of the fine by the holder of the license, within ten days from the finding of the court, shall continue said license in full force and effect, otherwise the license shall be automatically canceled.

Passed the Senate January 27, 1915.

Passed the House February 17, 1915.

Approved by the Governor February 27, 1915.