

CHAPTER CXLIV.

[H. B. No. 347.]

AS TO FIRE INSURANCE COMPANIES AND AGENTS.

AN ACT to regulate, control and license insurance companies, corporations and associations, and their agents, prescribing license fees and imposing penalties.

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

SECTION 1. No license shall hereafter be issued to any fire insurance company, corporation or association, permitting said fire insurance company, corporation or association to do business in this state until such fire insurance company, corporation or association shall file with the insurance commissioner of this state its written agreement that it will not accept any application for fire insurance upon, nor will it write, issue or deliver any policy of fire insurance covering any property located or situated within the State of Washington except through a citizen of this state, resident herein, and who shall be a duly appointed agent of such fire insurance company, corporation or association, and licensed by the insurance commissioner of this state as agent of such fire insurance company, corporation or association to solicit and write fire insurance.

Policies must be issued only through licensed agents.

SEC. 2. Any fire insurance company, corporation or association holding a license issued by the insurance commissioner of this state prior to the date that this act shall take effect shall, within sixty days after this act shall take effect, file with the said insurance commissioner a like written agreement as that prescribed by section 1 of this act, as a condition precedent for the continuance of the business of such fire insurance company, corporation or association in this state, and if such fire insurance company, corporation or association shall fail so to do within said time, said insurance commissioner shall forthwith revoke the license of such fire insurance company, corporation or association.

Agreement to be filed with commissioner.

SEC. 3. No fire insurance company, corporation or

association licensed to do business in this state shall accept any application for fire insurance upon nor shall it write, issue or deliver any policy of insurance covering property located or situated within this state except through a duly appointed agent of such fire insurance company, corporation or association, who is a citizen of this state, resident herein and licensed as agent of such fire insurance company, corporation or association by the insurance commissioner of this state to write and solicit insurance for such fire insurance company, corporation or association. The license of any such fire insurance company, corporation or association which shall accept any application for insurance upon or which shall write, issue or deliver any policy covering any property located or situated in this state in violation of this section, shall be revoked by the commissioner of this state.

Penalty for violating law.

Penalty.

SEC. 4. No fire insurance company, corporation or association, the license of which shall be revoked for violation of this act after its passage, shall be again licensed to do business in this state until it shall have paid into the state treasury the sum of \$500.00 as a license fee.

Policies to be delivered only by licensed agents.

SEC. 5. No person shall write or solicit fire insurance upon any property located or situated in this state, nor shall any person deliver any policy of fire insurance upon any property located or situated in this state, unless such person be a duly authorized agent of some fire insurance company, corporation or association holding a license granted by the insurance commissioner of the state, authorizing it to do business in this state, and unless such person be duly licensed by such insurance commissioner as a fire insurance agent authorized to write and solicit fire insurance in this state. Any person violating this section shall be guilty of a misdemeanor and shall be fined in a sum not exceeding \$50, or imprisonment in the county jail not exceeding thirty days.

Penalty.

Fees.

SEC. 6. No person shall be licensed as a fire insurance agent authorized to solicit or write fire insurance

until each company, corporation or association represented by such person shall have paid a license fee as prescribed in this section. The annual license fee for an agent's license authorizing the solicitation and writing of fire insurance in this state shall be two dollars for each company represented by any person, firm or corporation.

SEC. 7. Any owner of property situated or located in the State of Washington at the time of being insured who shall insure his property in a company, corporation or association not authorized to do business in this state, shall be held liable to the State of Washington for twenty-five per cent. of the gross premiums paid to any such unauthorized company. The insurance commissioner is hereby authorized to institute actions against any person violating the provisions of this section, and for the recovery of the penalty herein provided for.

Property
owner liable
for violating
law.

SEC. 8. Any policy of fire insurance solicited, issued or delivered in violation of the provisions of this act shall nevertheless be a valid contract in favor of the insured.

Valid con-
tracts.

SEC. 9. Any person through whom any insurance company writing insurance upon any property in this state shall deliver a policy of insurance shall be deemed the agent of such company as to all transactions relating to such insurance had between such person and the insured named in the policy, prior to and at the delivery thereof.

Who deemed
agent.

Passed the House February 16, 1899.

Passed the Senate March 9, 1899.

Approved March 15, 1899.