

Amends § 6,
ch. 171, Ex.
Laws of
1925 ;
§ 11308-6,
Rem. Comp.
Stat., 1927
Sup.

SEC. 5. That section 6 of chapter 171, Laws of the Extraordinary Session of 1925 (section 11308-6, Remington's Compiled Statutes, 1927 Supplement) be amended to read as follows :

Validity of
taxes basis
for action.

Section 6. The right of action of the county, its successors or assigns, under this act shall rest on the validity of the taxes involved, and the plaintiff shall be required to prove only the amount of the former judgment foreclosing the lien thereof, together with the costs of the foreclosure and sale of each tract of land for said taxes, and all the presumptions in favor of the tax foreclosure sale and issuance of treasurer's deed existing by law shall obtain in said action.

Passed the House January 30, 1931.

Passed the Senate March 9, 1931.

Approved by the Governor March 19, 1931.

CHAPTER 84.

[H. B. 89.]

INSURANCE.

AN ACT relating to insurance and amending Section 36 of Chapter 49 of the Laws of 1911 as amended by Section 1 of Chapter 128 of the Laws of 1929.

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

Amends § 36,
ch. 49, Laws
of 1911 ; § 1,
ch. 128, Laws
1929 ; § 7080,
Rem. Comp.
Stat.

SECTION 1. That section 36 of chapter 49 of the Laws of 1911 as amended by section 1 of chapter 128 of the Laws of 1929, (section 7080 of Remington's Compiled Statutes) be amended to read as follows :

Written only
through
agents.

Section 36. It shall be unlawful for any insurance company admitted to do business in this state to write, place or cause to be written or placed, any policy of insurance covering risks located in this state, except through or by a duly authorized licensed agent of such company residing and doing

business in this state: *Provided*, That where the insured calls at the principal office of the company and requests a policy the risk may be covered and the policy procured through the duly authorized agent in the territory wherein the risk is located: *And provided further*, That a license may be granted to a non-resident special agent authorizing such agent to work with and assist local agents in this state in writing business, but in all such cases the local agent is to retain his full commissions. *And further provided*, That whenever under the laws of another state residents of the State of Washington may be licensed to represent life insurance companies in such other state and to solicit, write and deliver therein policies of life insurance with or without permanent and/or total disability, or total disability and/or additional accidental death benefits as a part thereof, then residents of such other state may be similarly licensed in the State of Washington.

Non-resident special agent.

License reciprocal with another state.

All insurance written in this state by non-resident agents shall be reported and taxed the same as business written by resident agents.

Reported and taxed.

Applications for licenses for non-resident agents shall be made in the manner required by section 7089, Remington's Compiled Statutes, relative to the licensing of resident agents and shall be approved by the insurance commissioner. All non-resident agents licensed under the provisions of this section shall be subject to the same control by the insurance commissioner that resident agents are, and their licenses may be canceled for the same causes and in the same manner that the licenses of resident agents may be canceled. Licenses issued to non-resident agents shall run for the same period as do the licenses of resident agents, and may be renewed upon the same terms as may licenses of resident agents. The same fee shall be required for

Applications for non-resident license.

Canceled.

Renewed.

Fee.

a non-resident agent's license that is required as a licensing fee from residents of the State of Washington in the state of the residence of such non-resident applicant. When the laws of the state of which the applicant is a resident make no provision respecting the license fee to be paid by an applicant for a non-resident license or for a lesser amount than for a resident agent of Washington, then the same fee shall be required for the non-resident agent's license that is required under the laws of this state to be paid for a resident agent's license.

Non-resident
life insur-
ance agent.

The commissioner shall not issue a license to a non-resident applicant to solicit life insurance policies either with or without permanent and/or total disability, or total disability and/or additional accidental death benefits until said applicant has executed and filed in his office a written appointment of the insurance commissioner to be the true and lawful attorney of said applicant in and for this state on a form furnished by the commissioner upon whom all lawful actions or proceedings against said applicant in any county in this state may be served with the same effect as if he were a resident applicant having his residence in said county. The service upon such attorney shall hereafter be deemed service upon said applicant if said non-resident applicant is licensed by this department. A fee of one dollar (\$1.00) shall be paid by the non-resident applicant for filing said power of attorney. The said power of attorney may not be canceled so long as there is any cause of action against said non-resident agent in connection with any insurance transactions in the State of Washington.

Attorney-in-
fact to be
designated.

Service
upon, fee.

Manner of
service.

Legal service against any such non-resident licensee may be had by serving duplicate copies upon the commissioner through the mail by a registered letter or by an officer or person competent to serve a summons. Upon such service being made, the

commissioner shall forthwith mail one of such duplicate copies of such process to such licensee at his last known post office address.

In all cases of service of process against such non-resident licensee by serving his or her said attorney, the commissioner shall collect two dollars (\$2.00) which shall be paid by the plaintiff at the time of such service, the same to be recovered by the plaintiff as part of the taxable costs if he prevail in the suit.

Fee for
process
service.

Legal service upon insurance companies not licensed to do business in this state may be made upon any person resident in this state, who is authorized or requested by such non-licensed company to place or effect insurance upon risks located in this state with such non-licensed insurance company, and who receive any compensation, gratuity, or reward of any kind whatsoever for placing and effecting such insurance.

Unlicensed
companies,
service upon.

The commissioner shall keep a record of all such processes which shall show the day and the hour of service: *Provided*, That in such cases no proceedings shall be had within forty days after date of such service upon the commissioner.

Record of
service.

Passed the House February 5, 1931.

Passed the Senate March 9, 1931.

Approved by the Governor March 19, 1931.