

CHAPTER 192.

[S. B. 45.]

BREACH OF WARRANTY IN NEGOTIATING INSURANCE.

AN ACT to regulate the insurance business, and to amend section 34 of an act entitled: "An Act to provide an insurance code for the State of Washington to regulate the organization and government of insurance companies and insurance business, to provide penalties for the violation of the provisions of this act, to provide for an insurance commissioner and define his duties, and to repeal all existing laws in relation thereto," approved March 10, 1911, and known as the Insurance Code, and also as section 34 of chapter 49 of the Session Laws of 1911.

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

SECTION 1. That section 34 of the Insurance Code, otherwise known as section 34 of chapter 49 of the Session Laws of 1911, approved March 10, 1911, be amended to read as follows:

Amends
Rem.-Bal.
§ 6059-34;
Laws 1911,
page 197,
§ 34.

Section 34. No oral or written misrepresentation or warranty made in the negotiation of a contract or policy of insurance, by the assured or in his behalf, shall be deemed material or defeat or avoid the policy or prevent it attaching, unless such misrepresentation or warranty is made with the intent to deceive. If any breach of a warranty or condition in any contract or policy of insurance shall occur prior to a loss under such policy, such breach shall not avoid the policy nor avail the insurer to avoid liability, unless such breach shall exist at the time of such loss under such contract or policy.

Not to avoid
policy, when.

Passed the Senate March 3, 1915.

Passed the House March 9, 1915.

Approved by the Governor March 23, 1915.