
HOUSE BILL 1501

State of Washington

54th Legislature

1995 Regular Session

By Representatives L. Thomas, Wolfe, Huff, Dellwo and Kessler; by request of Law Revision Commission

Read first time 01/27/95. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to correcting double amendments related to
2 insurance examination expenses; reenacting RCW 48.03.060; and creating
3 a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The only intent of the legislature in this
6 act is to correct double amendments. It is not the intent of the
7 legislature to change the substance or effect of any statute previously
8 enacted.

9 **Sec. 2.** RCW 48.03.060 and 1993 c 462 s 47 and 1993 c 281 s 55 are
10 each reenacted to read as follows:

11 (1) Examinations within this state of any insurer domiciled or
12 having its home offices in this state, other than a title insurer, made
13 by the commissioner or the commissioner's examiners and employees
14 shall, except as to fees, mileage, and expense incurred as to
15 witnesses, be at the expense of the state.

16 (2) Every other examination, whatsoever, or any part of the
17 examination of any person domiciled or having its home offices in this
18 state requiring travel and services outside this state, shall be made

1 by the commissioner or by examiners designated by the commissioner and
2 shall be at the expense of the person examined; but a domestic insurer
3 shall not be liable for the compensation of examiners employed by the
4 commissioner for such services outside this state.

5 (3) When making an examination under this chapter, the commissioner
6 may retain attorneys, appraisers, independent actuaries, independent
7 certified public accountants, or other professionals and specialists as
8 examiners, the cost of which shall be borne by the person who is the
9 subject of the examination, except as provided in subsection (1) of
10 this section.

11 (4) The person examined and liable therefor shall reimburse the
12 state upon presentation of an itemized statement thereof, for the
13 actual travel expenses of the commissioner's examiners, their
14 reasonable living expense allowance, and their per diem compensation,
15 including salary and the employer's cost of employee benefits, at a
16 reasonable rate approved by the commissioner, incurred on account of
17 the examination. Per diem salary and expenses for employees examining
18 insurers domiciled outside the state of Washington shall be established
19 by the commissioner on the basis of the National Association of
20 Insurance Commissioner's recommended salary and expense schedule for
21 zone examiners, or the salary schedule established by the Washington
22 personnel resources board and the expense schedule established by the
23 office of financial management, whichever is higher. Domestic title
24 insurer shall pay the examination expense and costs to the commissioner
25 as itemized and billed by the commissioner.

26 The commissioner or the commissioner's examiners shall not receive
27 or accept any additional emolument on account of any examination.

28 (5) Nothing contained in this chapter limits the commissioner's
29 authority to terminate or suspend any examination in order to pursue
30 other legal or regulatory action under the insurance laws of this
31 state. Findings of fact and conclusions made pursuant to any
32 examination are prima facie evidence in any legal or regulatory action.

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