

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1285

54th Legislature
1995 Regular Session

Passed by the House February 17, 1995
Yeas 94 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 4, 1995
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1285** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1285

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives L. Thomas, Dellwo, Mielke, Benton, Huff, Wolfe, Campbell, Costa, Pelesky, Dyer, Kessler, Smith and Beeksma

Read first time 01/19/95. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to immunity for providing surplus line insurance
2 information to the insurance commissioner; and amending RCW 48.01.190.

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

4 **Sec. 1.** RCW 48.01.190 and 1987 c 51 s 1 are each amended to read
5 as follows:

6 (1) Any person who files reports, or furnishes other information,
7 required under Title 48 RCW, required by the commissioner under
8 authority granted by Title 48 RCW, useful to the commissioner in the
9 administration of Title 48 RCW, or furnished to the National
10 Association of Insurance Commissioners at the request of the
11 commissioner or pursuant to Title 48 RCW, shall be immune from
12 liability in any civil action or suit arising from the filing of any
13 such report or furnishing such information to the commissioner or the
14 National Association of Insurance Commissioners, unless actual malice,
15 fraud, or bad faith is shown.

16 (2) The commissioner and the National Association of Insurance
17 Commissioners, and the agents and employees of each, are immune from
18 liability in any civil action or suit arising from the publication of
19 any report or bulletin or dissemination of information related to the

1 official activities of the commissioner or the National Association of
2 Insurance Commissioners, unless actual malice, fraud, or bad faith is
3 shown.

4 (3) Any licensee under chapter 48.17 RCW and any trade association
5 of the licensees under chapter 48.15 RCW, and any officer, director,
6 employee, agent, or committee of the licensee or association who
7 furnishes information to or for the commissioner or to or for the
8 association regarding unauthorized insurers or regarding attempts by
9 any person to place or actual placement by any person of business with
10 the insurers, whether in compliance with chapter 48.15 RCW or not,
11 shall be immune from each and every kind of liability in any civil
12 action or suit arising in whole or in part from the information or from
13 the furnishing of the information.

14 (4) The immunity granted by this section is in addition to any
15 common law or statutory privilege or immunity enjoyed by such person,
16 and nothing in this section is intended to abrogate or modify in any
17 way such common law or statutory privilege or immunity.

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