
HOUSE BILL 2453

State of Washington 59th Legislature 2006 Regular Session

By Representatives Williams, Hunt, Moeller, Chase and Morrell

Prefiled 1/5/2006. Read first time 01/09/2006. Referred to
Committee on Financial Institutions & Insurance.

1 AN ACT Relating to the Washington essential property insurance
2 inspection and placement program; and amending RCW 48.58.010.

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

4 **Sec. 1.** RCW 48.58.010 and 1987 c 128 s 1 are each amended to read
5 as follows:

6 (1) The commissioner may reimburse the secretary of the department
7 of housing and urban development under the provisions of Section
8 1223(a)(1) of the Urban Property Protection and Reinsurance Act of 1968
9 (Public Law 90-448) for losses reinsured by the secretary of the
10 department of housing and urban development and occurring in this state
11 on or after August 1, 1968. After receipt by the state treasurer of a
12 statement requesting reimbursement from the secretary of the department
13 of housing and urban development and upon certification promptly made
14 by the commissioner of insurance, hereafter referred to as the
15 commissioner, of the correctness of the amount thereof, the
16 commissioner is hereby authorized to provide for an assessment upon
17 insurers authorized to do business in this state in amounts sufficient
18 to pay reimbursement to the secretary of the department of housing and
19 urban development: PROVIDED, That the amount assessed each insurer

1 shall be in the same proportion that the premiums written by each
2 insurer in this state bear to the aggregate premiums written in this
3 state by all insurance companies on those lines for which reinsurance
4 was available in this state from the secretary of the department of
5 housing and urban development during the preceding calendar year.

6 (2) In the event any insurer fails, by reason of insolvency, to pay
7 any assessment as provided herein, the amount assessed each insurer, as
8 computed under subsection (1) of this section, shall be immediately
9 recalculated excluding therefrom the insolvent insurer so that its
10 assessment is, in effect, assumed and redistributed among the remaining
11 insurers.

12 (3) When assessments as provided herein are made, the individual
13 insurer, after having paid the full amount assessed against the
14 insurer, may deduct from future premium tax liabilities an amount not
15 to exceed twenty percent per annum until such deductions equal the
16 amount of the assessment levied against the insurer.

17 (4) This section shall cease to be of any force and effect upon
18 termination of the Urban Property Protection and Reinsurance Act of
19 1968 (Public Law 90-448), except that obligations incurred pursuant to
20 the provisions of this section shall not be impaired by the expiration
21 of the same.

22 (5) Notwithstanding the termination of the Urban Property
23 Protection and Reinsurance Act of 1968 (Public Law 90-448), the
24 commissioner is (~~authorized~~) required to continue in force the
25 program developed in response to that act, the Washington essential
26 property insurance inspection and placement program, in order to
27 provide essential property insurance within the state where it cannot
28 be obtained through the normal insurance market. The Washington
29 essential property insurance inspection and placement program must
30 apply to all counties within Washington state.

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