
SUBSTITUTE HOUSE BILL 2329

State of Washington

68th Legislature

2024 Regular Session

By House Consumer Protection & Business (originally sponsored by Representatives Macri, Peterson, Alvarado, Chopp, Bateman, Pollet, Reed, and Ramel)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to conducting a study of the insurance market for
2 housing providers receiving housing trust fund resources; creating
3 new sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that homelessness is
6 a multifaceted challenge that requires multiple creative solutions to
7 house and shelter people in a way that prioritizes empathy,
8 compassion, and safety. Housing providers receiving housing trust
9 fund resources play a pivotal role by meeting the affordable housing
10 needs of extremely low-income households, including housing people
11 who are chronically homeless and pairing housing with case management
12 and supportive services.

13 The legislature further finds that housing providers receiving
14 housing trust fund resources in Washington are experiencing
15 difficulties with their insurance coverages, including affordability
16 and nonrenewal of policies. Providers cannot operate without
17 insurance and Washington communities cannot thrive without these
18 critical providers. The state must keep these housing providers in
19 operation and ensure that they are appropriately insured so that the
20 state can continue to house some of its most vulnerable residents.

1 NEW SECTION. **Sec. 2.** (1) The office of the insurance
2 commissioner, in consultation with housing providers receiving
3 housing trust fund resources under RCW 43.185A.130 and serving
4 extremely low-income households as defined in RCW 36.70A.030,
5 authorized insurers, unauthorized insurers, providers of nonprofit
6 insurance services, risk-sharing pools for public housing authorities
7 and nongovernmental owners of affordable housing properties, risk
8 retention groups, relevant association groups including the surplus
9 lines association of Washington, and other relevant state agencies
10 including the department of enterprise services, the office of risk
11 management, and the department of commerce, shall conduct a study of
12 the property and liability coverages available to housing providers
13 receiving housing trust fund resources and serving extremely
14 low-income households.

15 (2) In conducting the study, the commissioner shall:

16 (a) Collect the information required under this section from
17 entities transacting insurance with housing providers described in
18 subsection (1) of this section, and any identified authorized
19 insurers, unauthorized insurers, and risk retention groups, are
20 required to provide the requested information to the commissioner;

21 (b) Obtain data from the previous five years on the number and
22 types of policies in effect, whether and why policies were nonrenewed
23 or canceled, claims activity, and premiums and deductibles; and

24 (c) Investigate and request any other relevant information that
25 may assist the commissioner with analyzing the availability of
26 property and liability coverages for housing providers described in
27 subsection (1) of this section and any other trends that may affect
28 market availability.

29 (3) Consistent with RCW 43.01.036, the commissioner shall submit
30 a report on its findings to the appropriate committees of the
31 legislature by December 31, 2024. The report must make
32 recommendations on potential policy or budget options, including
33 considerations regarding the development of a single-state or
34 multistate high-risk sharing pool and potential policy and budget
35 options to address reinsurance market volatility. The commissioner
36 may contract with a vendor to conduct an actuarial analysis if
37 necessary to facilitate the development of recommendations concerning
38 high-risk sharing pools under this subsection.

39 (4) Data requested by the commissioner for the purpose of
40 complying with the study and reporting requirements in this section

1 is confidential by law and privileged and is not subject to public
2 disclosure under chapter 42.56 RCW. Nothing in this section prohibits
3 the commissioner from preparing and publishing reports, analyses, or
4 other documents using the data received under this section so long as
5 the data is in aggregate form and does not permit the identification
6 of information related to individual companies. Data in the aggregate
7 form are deemed open records available for public inspection. Nothing
8 in this section affects, limits, or amends the commissioner's
9 authority under chapter 48.37 RCW.

10 (5) This section expires December 31, 2024.

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