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**HOUSE BILL 1199**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Taylor, Berry, Reed, Duerr, Tharinger, Paul, Simmons, Wylie, Pollet, Kloba, Ormsby, Salahuddin, and Hill; by request of Insurance Commissioner

Prefiled 01/08/25. Read first time 01/13/25. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to strengthening consumer protection through  
2 increased insurer accountability for violations of the insurance  
3 code; and amending RCW 48.02.080 and 48.05.185.

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

5 **Sec. 1.** RCW 48.02.080 and 2009 c 549 s 7005 are each amended to  
6 read as follows:

7 (1) The commissioner may prosecute an action in any court of  
8 competent jurisdiction to enforce any order made by him or her  
9 pursuant to any provision of this code.

10 (2) If the commissioner has cause to believe that any person has  
11 violated any penal provision of this code or of other laws relating  
12 to insurance he or she shall certify the facts of the violation to  
13 the public prosecutor of the jurisdiction in which the offense was  
14 committed.

15 (3) If the commissioner has cause to believe that any person is  
16 violating or is about to violate any provision of this code or any  
17 regulation or order of the commissioner, he or she may:

18 (a) (~~issue~~) Issue a cease and desist order; (~~and/or~~)

19 (b) (~~bring~~) Bring an action in any court of competent  
20 jurisdiction to enjoin the person from continuing the violation or  
21 doing any action in furtherance thereof;

1 (c) Order the payment of restitution as provided in subsection  
2 (5) of this section; or

3 (d) Any combination of (a), (b), and (c) of this subsection.

4 (4) The attorney general and the several prosecuting attorneys  
5 throughout the state shall prosecute or defend all proceedings  
6 brought pursuant to the provisions of this code when requested by the  
7 commissioner.

8 (5) The commissioner may order payment of restitution when a  
9 person regulated under this code possesses or controls, directly or  
10 indirectly, such fees, money, funds, or other property that belongs  
11 to, is due to, or is owed to another person. After hearing or with  
12 the consent of the person, the commissioner may order such person to  
13 pay restitution to any person entitled to restitution in the form of  
14 fees, money, funds, or other property. Restitution shall be paid with  
15 eight percent simple interest from the date the obligation arose. Any  
16 restitution ordered by the commissioner must be paid to the person to  
17 whom it is due within 30 days of the date of the order.

18 **Sec. 2.** RCW 48.05.185 and 1980 c 102 s 1 are each amended to  
19 read as follows:

20 After hearing or with the consent of the insurer and in addition  
21 to or in lieu of the suspension, revocation, or refusal to renew any  
22 certificate of authority the commissioner may levy a fine upon the  
23 insurer in an amount not less than (~~two hundred fifty dollars~~) \$250  
24 and not more than (~~ten thousand dollars~~) \$10,000 per violation. The  
25 order levying such fine shall specify the period within which the  
26 fine shall be fully paid and which period shall not be less than  
27 (~~fifteen~~) 15 nor more than (~~thirty~~) 30 days from the date of such  
28 order. Upon failure to pay any such fine when due the commissioner  
29 shall revoke the certificate of authority of the insurer if not  
30 already revoked, and the fine shall be recovered in a civil action  
31 brought (~~in~~) on behalf of the commissioner by the attorney general.  
32 Any fine so collected shall be paid by the commissioner to the state  
33 treasurer for the account of the general fund.

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