

## CHAPTER 47.

[S. S. B. 109.]

## CAPITAL STOCK REQUIREMENTS FOR INSURANCE COMPANIES.

AN ACT relating to insurance and amending Section 6059-84 of Remington and Ballinger's Annotated Codes and Statutes of Washington, and declaring that this act shall take effect immediately.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 6059-84 of Remington and Ballinger's Annotated Codes and Statutes of the State of Washington be and the same is hereby amended to read as follows:

Section 6059-84. Class or Classes of Insurance Permitted.

Any insurance company having the required amount of capital, or assets, when permitted by its articles of incorporation or charter, may be authorized and licensed by the commissioner to make insurance in this state under one or more of the classes prescribed in the several paragraphs in section 6059-83 of this act, as follows:

(1) No stock company shall make insurance in this state under class one of section 6059-83 of this act, without having capital stock of at least two hundred thousand dollars (\$200,000.00), of which not less than one-half must be paid in cash or like securities authorized by this act, and the remainder, in cash or like securities, paid within one year after the company is incorporated, and a surplus of not less than fifty thousand dollars (\$50,000.00), nor shall such company make insurance in this state, in any other of said classes of insurance specified in said section, except in classes two, seven, ten and thirteen and one-half, five as it relates to the insuring the performance of automobile contracts of sale

Business permitted various classes.

Fire and inland marine companies.

and or chattel mortgages and fourteen; such company is not to make insurance in class two, nor in class thirteen and one-half covering all hazards, without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes: Such company is not to make insurance in classes seven, ten, and thirteen and one-half excepting against the hazard of injury to persons, without having additional capital of at least fifty thousand dollars (\$50,000.00): Such company is not to make insurance in class fourteen without having additional capital of at least two hundred thousand dollars (\$200,000.00).

(2) No stock insurance company shall make insurance in this state under class two of section 6059-83 without having a capital stock of at least two hundred thousand dollars (\$200,000.00) fully paid and a surplus of not less than fifty thousand dollars (\$50,000.00), nor shall such company make insurance in this state in any other of said classes of insurance excepting in classes one, thirteen and one-half, and fourteen: Such company is not to make insurance in class one, nor in class thirteen and one-half covering all hazards, without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes: Such company is not to make insurance in class thirteen and one-half excepting against the hazard of injury to persons, without having additional capital of at least fifty thousand dollars (\$50,000.00): Such company is not to make insurance in class fourteen without having additional capital of at least two hundred thousand dollars (\$200,000.00).

Marine  
insurance  
companies.

(3) No stock insurance company shall make insurance in this state under class three of section 6059-83 without having a capital stock fully paid of at least one hundred thousand dollars (\$100,000.00)

Life  
insurance  
companies.

with a surplus of not less than fifty thousand dollars (\$50,000.00), nor shall such company make insurance in this state in any other of said classes of insurance except in classes four and six; nor to make insurance in class four without having additional capital of at least fifty thousand dollars (\$50,000.00); nor to make insurance in class six without having additional capital of at least two hundred thousand dollars (\$200,000.00) nor to make insurance in classes four and six without having additional capital of at least two hundred and fifty thousand dollars (\$250,000.00).

Title  
insurance  
companies.

(4) No company shall issue contracts of guaranty or title insurance in this state, under class twelve of section 6059-83, until and unless it deposit and maintain on deposit through the office of the insurance commissioner, with the state treasurer, a guaranty fund in securities authorized by this act as legal investments for the capital or funds of insurance companies, in amounts as follows:

Capital  
dependent  
on county  
population.

(a) In counties having a population of five hundred thousand or more as evidenced by the last official census of the United States or of the State of Washington, the guaranty fund shall not be less than two hundred thousand dollars (\$200,000.00); (b) In counties having a population of not less than three hundred thousand nor more than five hundred thousand as evidenced by said census, the guaranty fund shall not be less than one hundred and fifty thousand dollars (\$150,000.00); (c) In counties having a population of not less than one hundred and fifty thousand nor more than three hundred thousand, as evidenced by said census, the guaranty fund shall not be less than one hundred thousand dollars (\$100,000.00); (d) In counties having a population of not less than one hundred thousand nor more than one hundred and fifty thousand, as evidenced by said census, the guaranty fund shall

not be less than seventy-five thousand dollars (\$75,000.00); (e) In counties having a population of not less than sixty thousand nor more than one hundred thousand, as evidenced by said census, the guaranty fund shall be not less than fifty thousand dollars (\$50,000.00); (f) In counties having a population of not less than thirty-five thousand nor more than sixty thousand, as evidenced by said census, the guaranty fund shall not be less than twenty-five thousand dollars; (g) In counties having a population of not less than fifteen thousand nor more than thirty-five thousand, as evidenced by said census, the guaranty fund shall be not less than fifteen thousand dollars (\$15,000.00); (h) And in counties having a population of less than fifteen thousand, as evidenced by said census, the guaranty fund shall be not less than ten thousand dollars (\$10,000.00). Any company authorized to issue contracts of guaranty, or title insurance in any county of this state shall be permitted and authorized to issue contracts of guaranty and title insurance in one or more other counties of this state: *Provided*, Its guaranty fund on deposit with the state treasurer is equal to the maximum amount hereinbefore required of a company issuing contracts of guaranty or title insurance in any of such counties: *Provided, further*, If any company shall have complied or shall thereafter comply with the provisions of this act for the county in which it has its principal place of business no other company authorized to issue contracts of guaranty or title insurance in any other county of this state shall be permitted to issue contracts of guaranty or title insurance therein after the expiration of its certificate of authority then held unless it has deposited or shall thereafter deposit with the state treasurer through the office of the insurance commissioner securities in addition to those then required of such company in the same amount as re-

Business  
authorized  
in other  
counties.

Additional  
securities  
required.

quired for such county: *Provided, further,* That when any company authorized to issue contracts of guaranty or title insurance in any county of the state shall have and maintain on deposit with the state treasurer a guaranty fund in securities authorized by this act in the total amount of two hundred thousand dollars (\$200,000.00), such company shall be permitted and authorized to issue contracts of guaranty and title insurance in all of the counties of this state: *Provided, further,* That nothing herein contained shall prevent any company authorized to issue contracts of guaranty or title insurance in any county of this state from underwriting or re-insuring in whole or in part contracts of guaranty or title insurance by any other company. The provisions of this act shall in no wise be interpreted to apply to persons, co-partnerships, or corporations engaged in the business of preparing and issuing abstracts of, but not guaranteeing or insuring, title to property and certifying to the correctness thereof.

Reinsurance permitted.

Act inapplicable to abstractors.

Fidelity and surety insurance companies.

(5) No stock insurance company shall make insurance in this state under class five of section 6059-83 without having a capital stock fully paid of at least two hundred thousand dollars (\$200,000.00) and a surplus of not less than one hundred thousand dollars (\$100,000.00), nor shall such company make insurance in this state in any other of said classes of insurance specified in section 6059-83, excepting classes four, six, seven, eight, nine, ten, eleven, thirteen, thirteen and one-half, and fourteen; and it shall not make insurance in classes six or thirteen and one-half without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes; such company may make insurance in classes four, seven, eight, nine, ten, eleven, thirteen, thirteen and one-half (excepting against the perils of fire), when it

has additional capital of at least fifty thousand dollars (\$50,000.00); Such company may make insurance in class fourteen when it has additional capital of at least two hundred thousand dollars (\$200,000.00).

(6) No stock insurance company shall make insurance in this state under class six of section 6059-83 without having a capital stock of at least two hundred thousand dollars (\$200,000.00) fully paid and a surplus of not less than one hundred thousand dollars (\$100,000.00); nor shall such company make insurance in this state in any other of said classes of insurance specified in this section except in classes four, five, seven, eight, nine, ten, eleven, thirteen and one-half and fourteen; and it shall not make insurance in classes five or thirteen and one-half without having additional capital of at least one hundred thousand dollars (\$100,000.00) for each of said classes. Such company may make insurance in one or all of the following classes: four, seven, eight, nine, ten, eleven, thirteen, thirteen and one-half (excepting against the perils of fire); when it has additional capital of at least fifty thousand dollars (\$50,000.00); Such company may make insurance in class fourteen when it has additional capital of at least two hundred thousand dollars (\$200,000.00).

Liability  
insurance  
companies.

(6½) No stock insurance company shall make insurance in this state under class thirteen and one-half of section 6059-83 without having a capital stock of at least two hundred thousand dollars (\$200,000.00) fully paid and a surplus of not less than one hundred thousand dollars (\$100,000.00).

Motor vehicle  
insurance  
companies.

(7) No stock insurance company shall make insurance in this state in either of the following classes specified in section 6059-83: four, seven, eight, nine, ten, eleven, and thirteen without having a capital stock of at least one hundred thousand dollars

Companies  
under other  
classifica-  
tions.

(\$100,000.00) fully paid and a surplus of not less than twenty-five thousand dollars (\$25,000.00), nor shall such company make insurance in more than one of said classes unless it shall have additional capital of not less than fifty thousand dollars (\$50,000.00): *Provided, however,* that the requirement of a surplus as provided in this section shall only apply to domestic insurance companies organizing and commencing to transact the business of making insurance and that such companies may use such surplus in establishing the company in business without impairment of the company.

Mutual and fraternal companies exempt.

(8) The provisions of this section shall not apply to life or fire insurance companies operating on the mutual, or assessment or the fraternal plan.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate February 17, 1919.

Passed the House February 24, 1919.

Approved by the Governor February 27, 1919.

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## CHAPTER 48.

[S. B. 82.]

### EMINENT DOMAIN FOR AERIAL TRANSPORTATION PURPOSES.

AN ACT relating to facilities for aerial transportation, authorizing cities and counties to acquire, maintain and operate lands and other property therefor, and declaring the same to be a county and city purpose and a public use.

*Be it enacted by the Legislature of the State of Washington:*

Cities and counties vested with power.

SECTION 1. That all cities and counties are authorized and empowered by and through their appropriate corporate authorities to acquire, maintain and operate sites and other facilities for landings,