

CHAPTER 175.

[H. B. 134.]

INSURANCE CODE: DEFINITION OF TERMS.

AN ACT relating to insurance and amending Section 7033 of Remington's Compiled Statutes, as amended by Chapter 26, Laws of Washington, 1923.

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

§ 2909,
Pierce's
Code.

SECTION 1. That section 7033 of Remington's Compiled Statutes, as amended by chapter 26, Laws of Washington, 1923, be amended to read as follows:

Terms defined.

Section 7033. The terms "company", "corporation", or "insurance company" or "insurance corporation", in this act, unless the context otherwise requires, includes all corporations, associations, partnerships, or individuals engaged as insurers in the business of insurance.

Company, corporation, insurance company, insurance corporation.

Domestic.

"Domestic" designates those companies incorporated or formed in this state. "Foreign" designates those companies incorporated or formed under the laws of the United States or any other state in the United States, and "alien" designates those companies incorporated or formed under the laws of any country other than the United States.

Foreign.

Alien.

Admitted company.

"Admitted company" designates companies duly qualified and licensed to transact business under the provisions of this act. "Non-admitted companies" designates companies not licensed to transact business in this state under the provisions of this act.

Non-admitted companies.

Commissioner.

"Commissioner" or "insurance commissioner", where used in this act, shall mean the "state insurance commissioner".

Unearned premiums. Net value of policies.

"Unearned premiums" and "net value of policies", severally means the liability of an insurance

company upon its insurance contracts, other than accrued claims, computed by rules of valuation established by this act.

• “Net assets” means the property and funds of an insurance company available for the payment of its obligations; including uncollected premiums not more than three months past due on policies actually in force, and including in the case of a mutual company, its premiums, premium notes, and contingent liability of its policy holders, after deducting from such funds all unpaid losses and claims and all other debts and liabilities except capital. Net assets.

“Profits” of a mutual insurance company means that portion of its cash funds not required for payment of losses and expenses, nor set apart for any purpose allowed by law. Profits.

“Agent”, “insurance agent” or “local agent” is a person, copartnership or corporation, duly authorized and commissioned by an insurance company, to solicit applications for and effect insurance in the name of the company, and to keep a complete record of all such transactions, and to discharge such other duties as may be vested in or required of the agent by said insurance company. Agent.
Insurance agent.
Local agent.

“General agent” or “manager” is a person, copartnership or corporation who has been appointed and commissioned by an insurance company to represent said company in this state, and to receive service of process served on the insurance commissioner as attorney for said company, as provided in sections 7044 of Remington’s Compiled Statutes and 7045 of Remington’s Compiled Statutes, and whose appointment as such general agent or manager has been filed by said company with the insurance department of this state on a form furnished by said department: *Provided*, That a resident general agent or manager may be licensed to solicit applications for and effect insurance and General agent.
Manager.
Resident general agent or manager.

appoint solicitors in the same manner as provided for local agents: *Provided further*, That the appointment of a resident general agent or manager may be in addition to the number of local agents otherwise provided for, which each company may appoint in this state. The fee for resident general agent's or manager's license shall be the same as for local agent's.

Fee for resident general agent's license.

Special agent.

“Special agent” is a person appointed by an insurance company to supervise the operations of the local agent of said company in this state and to perform such other duties as the company appointing him may direct: *Provided*, That such special agent shall not be authorized to countersign policies of insurance on risks located in this state but shall be required to obtain and keep in force a license to do business in this state: *And provided further*, That this does not prohibit the issuing and countersigning of reinsurance policies by a special agent.

Solicitor.

Insurance solicitor.

“Solicitor” or “insurance solicitor” is a person duly appointed, authorized and employed by a duly commissioned and licensed insurance agent or broker to solicit, receive, and forward applications for insurance and to collect premiums for such agent or broker, and who makes his principal vocation the soliciting of insurance for the said agent or broker: *Provided*, That all business transacted by said solicitor shall be in the name of the agent or broker appointing him, and said agent or broker shall be responsible for all acts of said solicitor while acting for such agent or broker: *And Provided further*, That a person devoting his whole time to clerical work in the office of an agent or broker shall not be deemed a solicitor and shall not be required to be licensed.

Broker.

“Broker” or “insurance broker” is any person, copartnership or corporation who, for a compensation, not being an appointed agent for the company

in which insurance or reinsurance is effected, acts or aids in any manner in negotiating contracts of insurance or reinsurance or placing risks or effecting insurance or reinsurance for a party other than himself or itself.

“Adjuster” or “insurance adjuster” is a person Adjuster. representing either an insurer or an insured, who undertakes to ascertain and report to his principal the actual loss or damage to the subject matter of the insurance due to the hazard or peril insured against.

“Surveyor” or “insurance surveyor” is a person, Surveyor. committee, board, bureau, copartnership, or corporation resident within the state, who, in person or by deputy, inspects and surveys the various municipalities and fire hazards in this state, and the means and facilities for preventing, confining and extinguishing fires, and for the purpose of estimating fair and equitable rates for insurance; who furnishes to municipalities and owners of property information and advice as to the measures to be adopted for the reduction of fire hazards on property in this state and lessening the cost of insurance thereon; and, as relating to marine insurance, who inspects vessels and reports on their seaworthiness.

“Director” within the intent of this act means Director. trustee.

“Insurable interest” is every interest in property, or any relation thereto, or liability in respect thereof, of such a nature that a contemplated peril might directly damnify the insured. Insurable interest. “Insured interest” in the matter of life and health insurance exists when the beneficiary, because of relationship, either pecuniary or from ties of blood or marriage, has reason to expect some benefit from the continuance of the life of the insured.

“Bottomry” is a contract by which a ship or Bottomry. freight is hypothecated as security for a loan which

is to be repaid only in case the ship survives a particular risk, voyage or period.

Double insurance.

“Double insurance” exists where the same party is insured by several insurers separately, in respect to the same subject and interest.

Over-insurance.

“Over-insurance” exists where a party having an insurable interest in property has insurance thereon against the same hazard or peril in excess of the actual value of his interest therein.

Reinsurance.

“Reinsurance” means a contract by which an insurer procures a third party to insure it against loss or liability by reason of such original insurance.

Passed the House January 27, 1927.

Passed the Senate February 17, 1927.

Approved by the Governor February 26, 1927.

CHAPTER 176.

[H. B. 151.]

LIENS OF VERDICTS IN SUPERIOR COURT.

AN ACT relating to liens of verdicts rendered in the Superior Court, amending Section 431-1 of Remington's Compiled Statutes of Washington.

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

§ 8081-1,
Pierce's
Code: § 2,
ch. 65, L.
1921.

SECTION 1. Section 431-1 of Remington's Compiled Statutes of Washington is amended to read as follows:

Entry of
verdict in
execution
docket.

Section 431-1. The clerk on the return of a verdict shall forthwith enter the same in the execution docket, specifying the amount thereof, and the names of the parties to the action and the party or parties against whom the verdict is rendered; such entry shall be indexed in the record index and shall conform as near as may be to entries of judgments required to be made in such execution docket. Beginning at eight o'clock a. m. the day after the entry