
HOUSE BILL 2453

State of Washington

54th Legislature

1996 Regular Session

By Representatives Mitchell, L. Thomas, Regala, Murray, Conway,
R. Fisher, Robertson, Pelesky, Scheuerman, Wolfe and Campbell

Read first time 01/11/96. Referred to Committee on Financial
Institutions & Insurance.

1 AN ACT Relating to insurance coverage for hazardous waste cleanups;
2 and adding a new section to chapter 48.05 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.05 RCW
5 to read as follows:

6 (1) Where an insurer has provided liability coverage for bodily
7 injury or property damage caused by a release of hazardous substances
8 and that coverage potentially would be available to compensate a third
9 party or other entity, then that third party or other entity has a
10 direct cause of action against the insurer.

11 (2) Where an insurer has provided liability coverage for bodily
12 injury or property damage caused by a release of hazardous substances
13 and, but for a petition for relief granted under the bankruptcy code,
14 the dissolution of a corporation, limited liability corporation,
15 partnership or limited partnership, or death of a person, that coverage
16 potentially would be available to compensate a third party or other
17 entity, then that third party or other entity has a direct cause of
18 action against the insurer of the debtor, dissolved corporation,
19 limited liability corporation, partnership or limited partnership, or

1 deceased person. Nothing in this section may be interpreted to give
2 rise to a cause of action against the bankrupt shareholders of a
3 dissolved corporation or heirs of a deceased person.

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