

CHAPTER 47
FORMERLY
HOUSE BILL NO. 127

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE PLACEMENT OF CERTAIN TYPES OF INSURANCE WITH NON-ADMITTED INSURERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 19, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1905. Exclusions

(a) Unless the Commissioner rules otherwise pursuant to § 1915 of this title, ~~the types of insurance coverage listed in subsection (b) of this section~~ life insurance and health insurance shall not be considered surplus lines insurance and shall be placed with admitted insurers licensed to write those types of insurance.

(b) The provisions of this chapter shall not apply to reinsurance or to the following insurances when so placed by licensed producers or surplus lines brokers of this State:

~~(1) Life insurance;~~

~~(2) Health insurance;~~

~~(3) Reinsurance;~~

~~(4) (1) Wet marine and transportation insurance;~~

~~(5) (2) Insurance on subjects located, resident or to be performed wholly outside this State or on vehicles or aircraft owned and principally garaged outside this State;~~

~~(6) (3) Insurance on operations of railroads engaged in transportation in interstate commerce and their property used in such operations;~~

~~(7) (4) Insurance of aircraft owned or operated by manufacturers of aircraft or of aircraft operated in commercial interstate flight or cargo of such aircraft or against liability, other than workers' compensation and employer's liability, arising out of the ownership, maintenance or use of such aircraft;~~

~~(8) (5) Transactions for which a certificate of authority to do business is not required of an insurer under the insurance laws of this State.~~

Approved June 24, 2015