

AMENDED IN SENATE JUNE 23, 2011

AMENDED IN SENATE JUNE 10, 2011

AMENDED IN SENATE JUNE 2, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 480

Introduced by Assembly Member Solorio

February 15, 2011

An act to ~~add Section 1760.11 to~~ *amend Section 1760 of the Insurance Code, relating to insurance.*

LEGISLATIVE COUNSEL'S DIGEST

AB 480, as amended, Solorio. Insurance: solid waste facilities.

Existing law regulates solid waste facilities and requires that any person owning or operating a solid waste landfill submit evidence of financial ability to provide for the cost of closure and postclosure maintenance, except as specified. Existing law provides that if the evidence of financial ability for closure, postclosure, or corrective action is demonstrated by use of insurance, either through an independent insurer or where the insurance carrier is established by a solid waste facility operator to meet the financial assurance obligations of that operator, the insurance mechanism may be approved if the insurance carrier meets specified requirements.

This bill would specify that an insurance carrier established by a solid waste facility operator to meet the financial assurance obligations of that operator that meets all of those specified requirements shall be eligible to provide that insurance and shall not be required to be a California admitted insurer nor be required to provide the insurance through a surplus line broker.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1760 of the Insurance Code is amended
2 to read:

3 1760. (a) ~~Any person~~ (1) A home state insured, as defined in
4 subdivision (f) of Section 1760.1, may negotiate and effect
5 insurance to protect himself, herself, or itself against loss, damage,
6 or liability with any nonadmitted insurer.

7 (2) Notwithstanding any other law, an issuer of an insurance
8 policy that meets all of the requirements of paragraph (2) of
9 subdivision (e) of Section 43601 of the Public Resources Code
10 shall be eligible to provide the insurance described in that
11 subdivision. An issuer of an insurance policy pursuant to this
12 section shall not be required to be a California admitted insurer,
13 nor be required to provide the insurance through a surplus line
14 broker.

15 (b) Every ~~person~~ home state insured that effects insurance
16 governed by this chapter shall pay the tax imposed by Part 7.5
17 (commencing with Section 13201) of Division 2 of the Revenue
18 and Taxation Code.

19 SECTION 1. ~~Section 1760.11 is added to the Insurance Code,~~
20 ~~to read:~~

21 ~~1760.11. Notwithstanding any other law, an issuer of an~~
22 ~~insurance policy that meets all of the requirements of paragraph~~
23 ~~(2) of subdivision (e) of Section 43601 of the Public Resources~~
24 ~~Code shall be eligible to provide the insurance described in that~~
25 ~~subdivision. An issuer of an insurance policy pursuant to this~~
26 ~~section shall not be required to be a California admitted insurer,~~
27 ~~nor be required to provide the insurance through a surplus line~~
28 ~~broker.~~