

1991 Senate Bill 340

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# 1991 WISCONSIN ACT 144

AN ACT to amend 601.53 (1) and 645.47 (1) (a) of the statutes, relating to: providing notice whenever an insurer doing a surety business is placed in liquidation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 601.53 (1) of the statutes is amended to read:

601.53 (1) INSURERS DOING A SURETY BUSINESS. Whenever any authorized insurer doing a surety business has filed a petition for receivership, or is in the hands of a receiver under ch. 645 or otherwise or the commissioner has reason to believe the company is in financial difficulty or has unreasonably failed to carry out any of its contracts is placed in liquidation under ch. 645 or a similar law of another state or jurisdiction, the commissioner shall immediately notify every register in probate, probate registrar and clerk of circuit court of this state the director of state courts. Upon the receipt of the notice it is the duty of, the director of state courts shall notify each register in probate, probate registrar and clerk of circuit court to, who shall notify and require every fiduciary that has filed a bond on which the company is surety, ~~forthwith~~ to file a new bond with a new different surety.

**SECTION 2.** 645.47 (1) (a) of the statutes is amended to read:

645.47 (1) (a) *General requirements.* The liquidator shall give notice of the liquidation order as soon as possible by first class mail and either by telegram or telephone to the insurance commissioner of each jurisdiction in which the insurer is licensed to do business, by first class mail and by telephone to the department of industry, labor and human relations of this state if the insurer is or has been an insurer of worker's compensation, by first class mail to all insurance agents having a duty under s. 645.48, by first class mail to the ~~persons designated in director of state courts under s. 601.53 (1)~~ if the insurer does a surety business and by first class mail at the last-known address to all persons known or reasonably expected from the insurer's records to have claims against the insurer, including all policyholders. The liquidator also shall publish a class 3 notice, under ch. 985, in a newspaper of general circulation in the county in which the liquidation is pending or in Dane county, the last publication to be not less than 3 months before the earliest deadline specified in the notice under sub. (2).