

**304.10-110 Liability of insurer as to losses and unearned premiums.**

- (1) As to a surplus lines risk which has been assumed by an unauthorized insurer under this subtitle, and if the premium has been received by the surplus lines broker who placed the insurance, in all questions arising under the coverage as between the insurer and the insured the insurer shall be deemed to have received the premium due to it for the coverage; and the insurer shall be liable to the insured as to losses covered by the insurance and for unearned premiums which may become payable to the insured upon cancellation of the insurance whether or not in fact the broker is indebted to the insurer with respect to the insurance or for any other cause.
- (2) Each unauthorized insurer assuming a surplus lines risk under this subtitle shall be deemed to have subjected itself to the terms of this section.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 393, sec. 40, effective July 14, 2000. --  
Created 1970 Ky. Acts ch. 301, subtit. 10, sec. 11, effective June 18, 1970.