

No. 242, S.]

[Published June 27, 1925.

CHAPTER 372.

AN ACT to amend section 76.33 and to create section 204.30 of the statutes, relating to liability insurance policies and the tax on unauthorized insurance.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 76.33 of the statutes is amended to read:

76.33 Any company not authorized to do business in this state, which shall * * * *transact an insurance business* in this state * * * shall pay to this state a tax * * * *computed upon the same basis as prescribed in this chapter for authorized insurance companies doing the same kind of business*, and on default of any such company in the payment of such tax before the first day of March next succeeding, the * * * *insured* shall pay such tax. Every person paying more than one hundred dollars premiums to any one such company in any year shall report the same in writing by mail to the commissioner of insurance before the first day of March next succeeding, and if such report be not made and such tax remains unpaid for sixty days after the said first day of March, the tax shall be increased by one-tenth for every month during which such tax remains unpaid after the expiration of said sixty days.

SECTION 2. A new section is added to the statutes to read:

204.30 (1) No policy of insurance against loss or damage resulting from accident to or injury suffered by an employe or other person and for which the person insured is liable, or against loss or damage to property caused by animals or by any vehicle drawn, propelled or operated by any motive power, and for which loss or damage the person insured is liable, shall be issued or delivered in this state, by any corporation or other insurer authorized to do business in this state, unless there shall be contained within such policy a provision that the insolvency or bankruptcy of the person insured shall not release the insurance carrier from the payment of damages for injury sustained or loss occasioned during the life of such policy, and stating that in case execution against the insured is returned unsatisfied in an action brought by the injured person, or his or her per-

sonal representative in case death results from the accident, because of such insolvency or bankruptcy, then an action may be maintained by the injured person, or his or her personal representatives against such corporation under the terms of the policy for the amount of the judgment in the said action not exceeding the amount of the policy.

(2) No such policy shall be issued or delivered in this state on or after September 1, 1925 by any company, unless there shall be contained within such policy a provision that notice given by or on behalf of the insured to any authorized agent of the insurer within this state, with particulars sufficient to identify the insured, shall be deemed to be notice to the insurer, and also a provision that failure to give any notice required to be given by such policy within the time specified therein shall not invalidate any claim made by the insured if it shall be shown not to have been reasonably possible to give such notice within the prescribed time and that notice was given as soon as reasonably possible.

(3) No such policy shall be issued or delivered in this state on or after September 1, 1925, to the owner of a motor vehicle, by any corporation or insurer authorized to do business in this state, unless there shall be contained within such policy a provision reading substantially as follows: The indemnity provided by this policy is extended to apply, in the same manner and under the same provisions as it is applicable to the named assured, to any person or persons while riding in or operating any automobile described in this policy when such automobile is being used for purposes and in the manner described in said policy. Such indemnity shall also extend to any person, firm or corporation legally responsible for the operation of such automobile. The coverage hereby afforded shall not apply unless the riding, use or operation above referred to be with the permission of the assured named in this policy, or if such assured is an individual, with the permission of an adult member of such assured's household other than a chauffeur or domestic servant, provided, however, that no coverage afforded by this paragraph shall apply to a public automobile garage or an automobile repair shop, sales agency, service station and/or the agents or employes thereof. In the event an automobile covered by this policy is sold, transferred or assigned, the purchaser, trans-

feree or assignee shall not be covered as an additional assured without written consent of the company, evidenced by endorsement hereon.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 25, 1925.

No. 147, S.]

[Published June 27, 1925.

CHAPTER 373.

AN ACT to amend paragraph (a) of subsection (3) of section 20.31 of the statutes, relating to the number of county schools of agriculture and domestic science that may receive state aid. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Paragraph (a) of subsection (3) of section 20.31 of the statutes, is amended to read: (20.31) (3) (a) The state superintendent shall keep a list of not more than * * * *five* of such schools, whose course of study and the qualifications of whose teachers have, on application, been approved by him and the dean of the college of agriculture; and any such school once entered on such list may remain listed and be entitled to state aid so long as the scope and character of its work are maintained in such manner as to meet the approval of the state superintendent. *On and after July 1, 1925 no new county schools of agriculture and domestic science shall be placed on the approved list and granted state aid under the provisions of this subsection.*

SECTION 2. This act shall take effect July 1, 1925.

Approved June 25, 1925.