

Warren County – Removal from Participation in the Kentucky Mine Subsidence Insurance Fund

**COMMONWEALTH OF KENTUCKY
DEPARTMENT OF INSURANCE
Frankfort, Kentucky**

**BULLETIN
2010-03**

The following Bulletin is to advise the reader of the current position of the Kentucky Department of Insurance (the “Department”) on the specified issue. The Bulletin is for informational purposes only and is not legally binding on either the Department or the reader.

TO: All Insurance Companies Issuing Property Policies in Kentucky

FROM: Sharon P. Clark, Commissioner

RE: Warren County – Removal from Participation in the Kentucky Mine Subsidence Insurance Fund

DATE: January 26, 2010

Warren County Fiscal Courts, by Resolution, Removes Warren County from Participation in the Kentucky Mine Subsidence Insurance Fund

Overview

Pursuant to KRS 304.44-020(2), insurance shall be made available through the Kentucky Mine Subsidence Insurance Fund against losses to any “structure” arising out of or due to mine subsidence within the state of Kentucky. Every insurance policy issued or renewed in this state for direct loss to a “structure,” unless located in an exempt county pursuant to KRS 304.44-060, shall include a separately stated premium insuring for mine subsidence loss.

Non-exempt Kentucky counties may become qualified participants in the Kentucky Mine Subsidence Insurance Fund when the fiscal court of the county approves the availability of mine subsidence insurance.

Warren County Resolution 10-01

On March 13, 2009, the Warren County Fiscal Court, through Resolution 09-02, affirmed Warren County’s participation in the Kentucky Mine Subsidence Insurance Fund. The Kentucky Department of Insurance responded by issuing Bulletin 2009-04 which announced the addition of Warren County to the Kentucky Mine Subsidence Insurance Fund effective March 1, 2010.

The Warren County Fiscal Court, after careful consideration that it is in the best interests of the citizens of Warren County, has, by Resolution 10-01, rescinded Resolution 09-02 thereby removing the availability of mine subsidence coverage in Warren County. Consequently, by Resolution 10-01, Warren County has been removed from participation in the Kentucky Mine Subsidence Insurance Fund.

Effective immediately, insurance companies issuing property policies in Warren County should adjust their rules and rates accordingly.

/s/ Sharon P. Clark
Sharon P. Clark, Commissioner
Kentucky Department of Insurance

On this 26th day of January, 2010