

**304.44-020 Mine subsidence insurance fund established.**

- (1) There is hereby established a fund to be known as the "Mine Subsidence Insurance fund." The fund shall be operated pursuant to this subtitle. The commissioner of the department shall determine how the fund shall be administered. In the discretion of the commissioner, the fund may be administered by the Reinsurance Association, established by KRS 304.35-010, or by the department.
- (2) The administrator shall make available through the fund insurance coverage against losses arising out of or due to mine subsidence within this state as to any structure within this state.
- (3) The moneys in the fund shall be derived from premiums for subsidence insurance collected pursuant to this subtitle.
- (4) Premiums for subsidence insurance shall be established by the administrator which shall periodically review the premium level and the experience data applicable to operation of the fund and make changes as required.
- (5) Premiums shall be established at a rate or within a schedule of rates sufficient to satisfy all foreseeable claims upon the fund during the period of coverage, giving due consideration to relevant loss or claim experience or trends, to cover normal costs of operation of the fund by the administrator and provide a reasonable reserve fund for unexpected contingencies. Deviation from the premium set by the administrator shall not be allowed.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1571, effective July 15, 2010. -- Created 1984 Ky. Acts ch. 167, sec. 2, effective July 13, 1984.