

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H2/17/15
A Bill

SENATE BILL 219

By: Senator Rapert
By: Representative Collins

For An Act To Be Entitled

AN ACT TO ENACT THE STATE INSURANCE DEPARTMENT'S GENERAL OMNIBUS BILL; TO CLARIFY THAT THE PUBLIC EMPLOYEE CLAIMS DIVISION IS RESPONSIBLE FOR FINANCING WORKERS' COMPENSATION COVERAGE FOR PUBLIC EMPLOYEES; TO CLARIFY THE GOVERNMENTAL BONDING BOARD'S RESPONSIBILITIES UNDER THE SELF-INSURED FIDELITY BOND PROGRAM TO SEEK RESTITUTION UPON A CRIMINAL CONVICTION; TO MODIFY THE DIVERSIFICATION RESTRICTIONS ON INVESTMENTS IN CERTIFICATES OF DEPOSIT AND SAVINGS AND LOAN ASSOCIATION DEPOSITS; TO REPEAL THE EXPERIENCE REQUIREMENT FOR AN ADJUSTER LICENSE; TO REVISE THE APPLICABILITY OF CERTAIN LAWS TO TITLE INSURANCE; TO CLARIFY THE GROUNDS FOR DISAPPROVING A PREMIUM RATE FORM; TO REPLACE OBSOLETE LANGUAGE CONCERNING REMITTANCE OF INSURANCE PREMIUM TAX; AND FOR OTHER PURPOSES.

Subtitle

TO ENACT THE STATE INSURANCE DEPARTMENT'S GENERAL OMNIBUS BILL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-17-1403 is amended to read as follows:

6-17-1403. Financing coverage.

(a) The General Assembly shall ~~biennially~~ appropriate funds as ~~it~~



~~shall deem~~ necessary to cover ~~awards~~ an award made to a school district ~~employees~~ employee under ~~the provisions of~~ this subchapter for claims that arose before July 1, 1994.

(b) All funds so appropriated by the General Assembly shall be deposited in the Workers' Compensation Revolving Fund, and all awards made under ~~the provisions of~~ this subchapter shall be paid from the fund ~~on vouchers drawn by the Workers' Compensation Commission~~ Public Employee Claims Division of the State Insurance Department.

(c) Annually on July 1, the ~~commission~~ division shall certify to the Chief Fiscal Officer of the State the amounts of all awards made and paid during the preceding year to or ~~in~~ on behalf of public school employees, and the Chief Fiscal Officer of the State shall cause to be transferred to the Workers' Compensation Revolving Fund from the Public School Fund the amount as was certified to him or her as having been paid ~~hereunder in~~ on behalf of public school employees.

(d) The Commissioner of Education shall also cause to be transferred to the Workers' Compensation Revolving Fund from the Public School Fund such amounts as may be certified to ~~him or her by the commission~~ the commissioner by the division as the cost of administering ~~the provisions of~~ this subchapter for public school employees.

SECTION 2. Arkansas Code § 21-2-708(c)(1), concerning notice of proof of losses, investigations, and remedies under the Self-Insured Fidelity Bond Program, is amended to read as follows:

(c)(1) ~~For the purpose of obtaining~~ To obtain restitution as ~~provided in~~ under subsection (b) of this section and as authorized by § 5-4-205, the board shall consider the Self-Insured Fidelity Bond Program and the participating governmental entity ~~shall be deemed~~ as victims.

SECTION 3. Arkansas Code § 23-63-805(1)(A)(ii)(b), concerning diversification of investments, is amended to read as follows:

(b) The restriction under ~~subdivision~~ ~~(1)(A)(ii)(a)~~ subdivision (1)(A)(i)(a) of this section ~~shall~~ does not apply ~~as~~ to general obligations of the United States or ~~of~~ any state or include policy loans made under § 23-63-821.

SECTION 4. Arkansas Code § 23-64-209(b)(3), concerning the qualifications for an adjuster's license, is repealed.

~~(3) Must be a full time salaried employee of a licensed adjuster, or a graduate of a recognized law school, or must have had experience or special education or training as to the handling of property, easualty, or workers' compensation loss claims under insurance contracts of sufficient duration and extent reasonably to make him or her competent to fulfill the responsibilities of an adjuster;~~

SECTION 5. Arkansas Code § 23-79-102(4), concerning the scope of insurance policies, is amended to read as follows:

(4) *Title insurance, except that the following apply to this line:*

(A) Section 23-79-101(1), §§ 23-79-109 – 23-79-111, 23-79-113, 23-79-116, 23-79-118, 23-79-119, and 23-79-202 – 23-79-205; and

(B) Section 23-79-121, provided that the insurer may authorize or require its title agents to provide the policy to the insured.

SECTION 6. Arkansas Code § 23-79-110(a)(3), concerning approval of insurance forms, is amended to read as follows:

(3) Has a title, heading, or other indication of its provisions that is misleading; ~~and~~ or

SECTION 7. Arkansas Code § 26-57-604(a)(3), concerning the remittance of the insurance premium tax, is amended to read as follows:

(3) ~~Furthermore, an~~ An employee ~~must~~ shall be employed for six (6) months ~~in the facilities~~ for the salary or wages to be eligible to qualify for the life or ~~disability~~ accident and health premium tax credit.

SECTION 8. Arkansas Code § 26-57-604(a)(4)(B)(ii), concerning the remittance of the insurance premium tax, is amended to read as follows:

(ii) ~~On or before~~ By March 1 of 2000 ~~and~~ each year, ~~thereafter, any such~~ an authorized life or ~~disability~~ accident and health insurer, including health maintenance organizations, desiring to qualify under this provision shall furnish the appropriate data and request on forms prescribed by the commissioner.

/s/Rapert