

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1672

By: Representative Miller
By: Senator Hill

For An Act To Be Entitled

AN ACT TO REQUIRE THE INSURANCE COMMISSIONER TO PAY ATTORNEY'S FEES AND COSTS IN CERTAIN CASES; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE INSURANCE COMMISSIONER TO PAY ATTORNEY'S FEES AND COSTS IN CERTAIN CASES.

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

SECTION 1. Arkansas Code § 23-61-307(i), concerning the costs awarded upon appeal of an order of the Insurance Commissioner, is amended to read as follows:

(i)(1) ~~Costs~~ Except as provided in subdivision (i)(2) of this section, costs shall be awarded as in civil actions.

(2)(A) If the commissioner enters an order against an independent licensee that imposes fines greater than five thousand dollars (\$5,000) or a revocation of license and the independent licensee appeals the commissioner's order and prevails, the commissioner shall pay the attorney's fees and costs of the independent licensee that have accrued since initiation of administrative proceedings by the commissioner.

(B) If the commissioner then appeals the ruling from the circuit court, the commissioner shall pay the attorney's fees and costs of the independent licensee whether or not the commissioner prevails.

