

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 2292 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: H4/7/05

A Bill

SENATE BILL 1136

5 By: Senator Miller  
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8 **For An Act To Be Entitled**

9 AN ACT CONCERNING THE ARKANSAS COMPREHENSIVE  
10 HEALTH INSURANCE POOL ACT; AND FOR OTHER  
11 PURPOSES.  
12

13 **Subtitle**

14 AN ACT CONCERNING THE ARKANSAS  
15 COMPREHENSIVE HEALTH INSURANCE POOL ACT  
16  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 *SECTION 1. Arkansas Code § 23-79-506(a)(12), pertaining to the powers*  
21 *of the Arkansas Comprehensive Health Insurance Pool, is amended to read as*  
22 *follows:*

23 *(12) Provide additional types of plans to provide optional*  
24 *coverages, including medicare supplement health insurance and health savings*  
25 *accounts that comply with applicable federal law as in effect January 1,*  
26 *2005;*  
27

28 *SECTION 2. Arkansas Code § 23-79-507(c)(2), which pertains to*  
29 *assessment limitations, is repealed.*

30 ~~*(2) Notwithstanding any provisions of this subchapter to the*~~  
31 ~~*contrary, no insurer may be assessed in any one (1) calendar year an amount*~~  
32 ~~*greater than the amount that that insurer paid to the state in the previous*~~  
33 ~~*year as premium tax on the business to which this tax applies or one-*~~  
34 ~~*hundredth of one percent (0.01%) of the total written premiums on the*~~  
35 ~~*business in this state, whichever is greater.*~~



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SECTION 3. Arkansas Code § 23-79-507(e) is amended to read as follows:

(e) Payment from the State Insurance Department Trust Fund.

(1)(A) Following the close of each fiscal year, the board and the plan administrator shall determine whether the pool has incurred a deficit as calculated under subdivision (b)(2) of this section.

(B) If a deficit under subdivision (b)(2) of this section has been incurred, the State Insurance Department shall transfer from the State Insurance Department Trust Fund in equal quarterly installments during the next fiscal year for deposit into the pool a sum equal to the deficit from those funds in the State Insurance Department Trust Fund that are in excess of the amount needed to meet the requirements of the approved annual budget for the applicable fiscal year but not to exceed ~~eight million dollars (\$8,000,000)~~ two million dollars (\$2,000,000).

(2) For any fiscal year in which the board and the plan administrator determine that the pool did not incur a deficit as calculated under subdivision (b)(2) of this section, the department shall not transfer any funds to the pool from the State Insurance Department Trust Fund under subdivision (e)(1)(B) of this section during the following fiscal year.

(3) The provisions of this subsection (e) shall expire on June 30, 2007.

/s/ Miller

APPROVED: 4/14/2005

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