

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Newman**

A Bill

HOUSE BILL 1685

For An Act To Be Entitled

8 "AN ACT TO REQUIRE PROPERTY AND CASUALTY INSURERS TO MAIL
9 OR DELIVER LOSS OR CLAIMS HISTORY REPORTS ON PERSONAL
10 LINES INSURANCE POLICIES TO NAMED INSUREDS WHENEVER THE
11 INSURERS TRANSMIT THE REPORTS TO OTHER INSURERS, CLAIMS
12 DATA COMPILATION SERVICES, AND AGENTS OR BROKERS; TO
13 EXCLUDE APPLICATION OF THIS ACT TO RATE SERVICE OR
14 ADVISORY ORGANIZATIONS; TO EXCLUDE APPLICATION OF THIS ACT
15 TO COMMERCIAL LINES PROPERTY AND CASUALTY INSURANCE; AND
16 FOR OTHER PURPOSES."

Subtitle

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19 "PROPERTY AND CASUALTY INSURERS_ PROVISION OF LOSS RUNS ON
20 PERSONAL LINES POLICIES TO NAMED INSUREDS WHEN SENDING
21 REPORTS TO OTHERS."

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

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25 SECTION 1. Subchapter 3 of Chapter 66 of Title 23 of the Arkansas Code
26 is amended by adding the following new section at the end of the existing
27 subchapter:

28 "Claims or loss histories; Provision for copies to named insureds.

29 (a) A vendor of loss history information shall make all disclosures and
30 furnish the reports without charge to the insured if within thirty (30) days
31 after receipt by such insured of a notification of declination, cancellation,
32 nonrenewal, or reduction in coverage the insured so requests. Otherwise, the
33 vendor of loss history information may impose a reasonable charge on the
34 insured for making disclosure.

35 (b) Property and casualty insurers are not required to send such

1 reports to named insureds when transmitting such data or reports to licensed
2 rate service or advisory organizations for statistical or statutory data
3 compilation purposes. The provisions of this act are not intended to conflict
4 with any state insurance laws which require *insurers to furnish* loss histories
5 to insureds or named insureds upon request. The provisions of this act are
6 intended to and shall apply only to personal lines insurance issued by
7 property and casualty insurers authorized to transact insurance business in
8 this state; and are not intended to apply to commercial lines property and
9 casualty insurance."

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11 SECTION 2. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 3. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 4. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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/s/Bobby Newman

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As Engrossed: 3/11/93 4/6/93

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