

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.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H3/14/03*

# A Bill

Act 1350 of 2003  
HOUSE BILL 2885

5 By: Representative Bradford  
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## For An Act To Be Entitled

9 AN ACT TO REMOVE FROM PUNISHMENT AS A CLASS A  
10 MISDEMEANOR, AN INSURANCE PRODUCER'S FAILURE TO  
11 CURE A DEFAULT OF PREMIUM; TO PROVIDE THAT § 23-  
12 64-232 DOES NOT PROVIDE AN AFFIRMATIVE DEFENSE  
13 FOR THE VIOLATION OF A LICENSEE'S FIDUCIARY DUTY;  
14 AND FOR OTHER PURPOSES.

## Subtitle

15  
16 TO AMEND ARKANSAS CODE § 23-64-232,  
17 CONCERNING PREMIUM DELINQUENCIES.  
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20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 *SECTION 1. Arkansas Code § 23-64-232(e), concerning the penalty for an*  
24 *insurance producer failing to comply with premium delinquency requirements,*  
25 *is amended to read as follows:*

26 *(e) Failure of the insurance producer to comply with the reporting*  
27 *requirements ~~set forth in subdivisions (b)(1) and (2) of subdivision (b)(2)~~*  
28 *of this section shall constitute a Class A misdemeanor.*  
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30 *SECTION 2. Arkansas Code § 23-64-232, concerning premium*  
31 *delinquencies, is amended to add a new subsection to read as follows:*

32 *(f) This section does not create an affirmative defense to, or a*  
33 *limitation on, prosecutions brought under § 23-64-233.*  
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35 /s/ Bradford  
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APPROVED: 4/14/2003

