

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Walters**

A Bill ACT 57 OF 1991

SENATE BILL 34

For An Act To Be Entitled

8 "AN ACT TO AMEND THE PRIVATE INVESTIGATORS AND PRIVATE
9 SECURITY AGENCIES ACT TO PROVIDE THAT A CLASS F LICENSEE
10 MUST MAINTAIN IN FORCE A PUBLIC LIABILITY INSURANCE
11 POLICY; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. Arkansas Code 17-33-308 is hereby amended to read as
16 follows:

17 "17-33-308. License - Insurance prerequisite.

18 (a) No Class B, Class C or general license shall be issued to a company
19 under this chapter unless the applicant files with the board proof of a policy
20 of continuing public liability insurance in a sum not less than one hundred
21 thousand dollars (\$100,000), conditioned to compensate any person for damages,
22 including, but not limited to, bodily injury, caused by wrongful acts of the
23 principal or its servants, officers, agents, and employees in the conduct of
24 any business licensed by this chapter.

25 (b) No Class B or Class C license shall be issued to an armored car
26 company unless the applicant files with the board proof of a valid and
27 continuing policy of armored car cargo insurance protecting customers'
28 valuables in a sum not less than five hundred thousand dollars (\$500,000).

29 (c) (1) All Class E and Class F licensees shall maintain in force at
30 all times while licensed a public liability insurance policy, with minimum
31 limits of liability of ten thousand dollars (\$10,000).

32 (2) All alarm systems businesses which issue Underwriters' Laboratories
33 certificates for local mercantile, central station, or police connected alarms
34 shall maintain in force at all times a public liability insurance policy in an
35 amount of at least three hundred thousand dollars (\$300,000).

36 (3) Proof of such insurance must be provided to the board upon request.

1 (4) This section will not pertain to alarm systems businesses that do
2 not sell, install or service alarm systems."

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4 SECTION 2. All provisions of this Act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this Act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the Act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 Act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this Act are
15 hereby repealed.

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17 SECTION 5. Emergency. It is hereby found and determined by the General
18 Assembly that Act 926 of 1989 amended various sections of the Private
19 Investigators and Private Security Agencies Act, and in so doing misclassified
20 Class F licensees for purposes of determining the amount of public liability
21 insurance they must maintain; that the misclassification will result in undue
22 hardships on Class F licensees; that this Act makes the correction
23 necessitated by Act 926; and that this Act should be given immediate effect in
24 order to make the correction as soon as possible. Therefore, an emergency is
25 hereby declared to exist and this Act being immediately necessary for the
26 preservation of the public peace, health and safety shall be in full force and
27 effect from and after its passage and approval.

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APPROVED: 2-7-91