

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 166 OF 1993
SENATE BILL 29

4 **By: Senators Gordon and Beebe**

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For An Act To Be Entitled

8 "AN ACT TO REQUIRE PROPERTY AND CASUALTY INSURERS TO
9 REPORT ANNUALLY REGARDING PROPERTY AND CASUALTY CLAIMS
10 EXPERIENCED IN THIS STATE; TO PROVIDE FOR THE FORM OF THE
11 REPORTS AND THE INFORMATION TO BE INCLUDED THEREIN; TO
12 REQUIRE THE COMMISSIONER OF INSURANCE TO COMPILE AND
13 REVIEW ALL REPORTS AND TO PUBLISH A REPORT; AND FOR OTHER
14 PURPOSES. "

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Subtitle

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**"TO REQUIRE PROPERTY AND CASUALTY INSURERS TO
REPORT ANNUALLY REGARDING PROPERTY AND
CASUALTY CLAIMS EXPERIENCED IN THIS STATE."**

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

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**SECTION 1. (A) The Insurance Commissioner shall promulgate regulations which
shall require each insurer licensed to write property and casualty insurance in this state to
submit an annual report on a form furnished by the commissioner showing its direct writings
in this state.**

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**(B) The report required by this act shall include but not be limited to the following
types of insurance written by such insurer:**

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- (1) motor vehicle bodily injury liability insurance, including medical pay insurance;**
- (2) products liability insurance;**
- (3) medical malpractice insurance;**
- (4) architects and engineers malpractice insurance;**
- (5) attorneys malpractice insurance;**
- (6) motor vehicle personal injury protection insurance;**
- (7) motor vehicle property liability insurance;**
- (8) uninsured motorist insurance;**

1 **(9) underinsured motorist insurance;**

2 **(10) workers_ compensation insurance.**

3 **(C) The reports shall include the following data for the previous year ending on the**
4 **thirty-first day of December:**

5 **(1) direct premiums written;**

6 **(2) direct premiums earned;**

7 **(3) net investment income, including net realized capital gains and losses, using**
8 **appropriate estimates where necessary;**

9 **(4) incurred claims, developed as the sum, and with figures provided for, of the**
10 **following:**

11 **(a) dollar amount of claims closed with payment, plus**

12 **(b) reserves for reported claims at the end of the current year, minus**

13 **(c) reserves for reported claims at the end of the previous year, plus**

14 **(d) reserves for incurred but not reported claims at the end of the current year, minus**

15 **(e) reserves for incurred but not reported claims at the end of the previous year, plus**

16 **(f) reserves for loss adjustment expense at the end of the current year, minus**

17 **(g) reserves for loss adjustment expense at the end of the previous year;**

18 **(5) actual incurred expenses allocated separately to loss adjustment, commissions,**
19 **other acquisition costs, general office expenses, taxes, licenses and fees, and all other expenses;**

20 **(6) net underwriting gain or loss; and**

21 **(7) net operation gain or loss, including net investment income.**

22 **(D) The report shall be due by the first of March of each year, and the first report shall**
23 **cover the year 1994.**

24 **(E) It shall be the duty of the commissioner to annually compile and review all reports**
25 **submitted by insurers pursuant to this act. The filings shall be published and made available**
26 **to any interested insured or citizen.**

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28 **SECTION 2. All provisions of this act of a general and permanent nature are**
29 **amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision**
30 **Commission shall incorporate the same in the Code.**

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32 **SECTION 3. If any provision of this act or the application thereof to any person or**
33 **circumstance is held invalid, such invalidity shall not affect other provisions or applications of**
34 **the act which can be given effect without the invalid provision or application, and to this end**
35 **the provisions of this act are declared to be severable.**

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

APPROVED: 2/19/93