

**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 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: S2/26/01*

# A Bill

**Act 572 of 2001**  
SENATE BILL 366

5 By: *Joint Budget Committee*  
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## **For An Act To Be Entitled**

9 AN ACT TO REVISE THE STATE INSURANCE DEPARTMENT TRUST  
10 FUND PROVISIONS TO CLARIFY THE DISPOSITION OF INTEREST  
11 EARNINGS; AND FOR OTHER PURPOSES.  
12

### **Subtitle**

14 THE STATE INSURANCE DEPARTMENT TRUST  
15 FUND INTEREST EARNINGS CLARIFIED.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. THE STATE INSURANCE DEPARTMENT TRUST FUND AMENDED. Arkansas  
21 Code 23-61-702 is amended to read as follows:  
22

23 23-61-702. The State Insurance Department Trust Fund - Creation.

24 (a) There is hereby established on the books of the Treasurer of State, the  
25 Auditor of State, and the Chief Fiscal Officer of the State a fund to be known  
26 as the "State Insurance Department Trust Fund" to be used to defray the  
27 expenses of the State Insurance Department in the discharge of its  
28 administrative and regulatory powers and duties as prescribed by law.

29 (b) No money is to be appropriated from this fund for any purpose except for  
30 the personal services and operating expenses, maintenance and operations, and  
31 support of and improvements to the State Insurance Department, and at the  
32 direction of the Insurance Commissioner for the use, benefit, and support of  
33 the State Insurance Department.

34 (c) The fund established pursuant to this section shall be administered,  
35 disbursed, and invested under the direction of the Insurance Commissioner and  
36 the Treasurer of State.

1 ~~(d)(1) All income derived through investment of the State Insurance~~  
2 ~~Department Trust Fund, including, but not limited to, interest and dividends,~~  
3 ~~shall be credited as investment income to the State Insurance Department Trust~~  
4 ~~Fund.~~

5 ~~(2)~~ All income derived through grants, refunds, and gifts to the State  
6 Insurance Department Trust Fund shall be credited as income to the State  
7 Insurance Department Trust Fund and deposited therein.

8 (e) Further, all moneys deposited to the aforementioned fund shall not be  
9 subject to any deduction, tax, levy, or any other type of assessment, except  
10 as may be provided in this subchapter.

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12 SECTION 2. Arkansas Code 19-5-922(b) pertaining to the State Insurance  
13 Department Trust Fund is amended to read as follows:

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15 (b) Such fund shall consist of those special revenues as specified in  
16 subdivision (172) of § 19-6-301, the first \$100,000 of workers' compensation  
17 premium taxes transferred from the various funds created in § 11-9-301 as  
18 provided in § 11-9-303(c), ~~interest income,~~ grants, refunds, and gifts, there  
19 to be used to defray the expenses of the State Insurance Department in the  
20 discharge of its administrative and regulatory powers and duties as prescribed  
21 by law and as set out in § 23-61-701 et seq.

22  
23 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General  
24 Assembly that confusion exists on the disposition of interest earnings on  
25 State Treasury funds in The State Insurance Department Trust Fund and that  
26 clarification is required so that funds are not lost by the General  
27 Improvement and Budget Stabilization Trust Funds. Therefore, an emergency is  
28 declared to exist and this act being immediately necessary for the  
29 preservation of the public peace, health and safety shall become effective on  
30 the date of its approval by the Governor. If the bill is neither approved nor  
31 vetoed by the Governor, it shall become effective on the expiration of the  
32 period of time during which the Governor may veto the bill. If the bill is  
33 vetoed by the Governor and the veto is overridden, it shall become effective  
34 on the date the last house overrides the veto.

35 /s/ Joint Budget Committee

36 APPROVED: 3/6/2001