

# Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

## Amendment Form

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### Subtitle of House Bill No. 2075

"TO REGULATE INSURANCE MATTERS AFFECTING THE STATE OF ARKANSAS."

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### Amendment No. 1 to House Bill No. 2075.

Amend House Bill No. 2075 as originally introduced:

Delete the Title and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE § 23-89-216, AS ENACTED BY ACT 485 OF 2009, CONCERNING INSURANCE MATTERS; AND FOR OTHER PURPOSES."

AND

Delete the Subtitle and substitute the following:

"AN ACT CONCERNING INSURANCE MATTERS."

AND

Delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code § 23-89-216, as enacted by of Act 485 of 2009, is amended to read as follows:

23-89-216. Notice concerning use of insurance proceeds.

(a) When making payment to a third-party on a claim under a motor vehicle insurance policy for damage to a motor vehicle, a motor vehicle liability insurer shall provide a written notice to the ~~insured~~ third-party claimant in substantially the following form:

"Failure to use the insurance proceeds in accordance with a security agreement between you and a lienholder, if any, may constitute the criminal offense of defrauding a secured creditor in violation of Arkansas Code § 5-37-203. If you have any questions, contact your lienholder."

(b) The written notice required by subsection (a) of this section may be provided by including the written notice on each written loss estimate prepared in connection with the claim."



The Amendment was read \_\_\_\_\_

By: Representative Hawkins  
PBB/RMW - 03-20-2009 15:29  
PBB229

\_\_\_\_\_  
Chief Clerk