

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

A Bill

SENATE BILL 44

4
5 By: Senator Everett
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE WORKERS' COMPENSATION LAW TO
10 REQUIRE THE STATE TREASURER TO INVEST WORKERS'
11 COMPENSATION FUND MONEYS IN ACCORDANCE WITH THE
12 PRUDENT INVESTOR RULE; AND FOR OTHER PURPOSES.

Subtitle

14 AN ACT TO AMEND THE WORKERS'
15 COMPENSATION LAW TO REQUIRE THE STATE
16 TREASURER TO INVEST WORKERS'
17 COMPENSATION FUND MONEYS IN ACCORDANCE
18 WITH THE PRUDENT INVESTOR RULE.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code 11-9-301(d) is amended to read as follows:

25 (d) (1) All incomes derived through investment of the Workers'
26 Compensation Fund, the Second Injury Trust Fund, and the Death and Permanent
27 Total Disability Trust Fund shall be credited, as investment income, to the
28 fund which participated in the investment. For the purpose of investment,
29 Workers' Compensation Fund moneys shall be invested by the Treasurer of State
30 in a fiduciary capacity in accordance with the ~~State Treasury Management Law,~~
31 ~~§ 19-3-501 et seq~~ prudent investor rule.

32 (2) For purposes of this subsection, the prudent investor rule
33 means that, in making investments, the fiduciary shall exercise the judgement
34 and care under the prevailing circumstances that an institutional investor of
35 ordinary prudence, discretion, and intelligence exercises in the management of
36 large investments entrusted to it, not for speculation but for investment,

1 considering the permanent disposition of funds, and the probable safety of
2 capital as well as probable income.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36