

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 286

"TO ENABLE THE COMMISSIONER TO ENACT PRIVACY REGULATIONS RELATING
TO CONSUMER INFORMATION."

Amendment No. 1 to Senate Bill No. 286.

Amend Senate Bill No. 286 as originally introduced:

Page 1, delete lines 31 through 35 and substitute

"(b) The commissioner shall adopt rules and regulations governing the treatment of consumer financial and protected health information by all licensed insurers, producers and other persons licensed or required to be licensed, authorized or required to be authorized, or registered or required to be registered by the commissioner.

(c)(1) The commissioner shall waive any provision of this section that creates any conflict with similar federal laws or regulations, or which, due to the enactment of any such similar federal laws or regulations, creates an undue burden or increased financial or operational demands upon any person or entity referenced in subsection (b) of this section, in order to comply with this section, the regulations to be promulgated by the commissioner, and similar federal laws and regulations.

(2) Any person or entity referenced in subsection (b) of this section may request a hearing before the commissioner to seek the waiver referenced in subsection (c)(1) of this section.

(3)(A) Under Arkansas Code 23-61-307, any person or entity referenced in subsection (b) of this section is entitled to appeal the commissioner's decision to deny a waiver.

(B) In any appeal pursuant to this section, the commissioner shall be named as defendant.

(C) In any such action, the commissioner may but shall not be obligated to defend the action, in his discretion.

.RTK224

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator T. Smith
PBB/RTK - 031620011001
RTK224

Secretary

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator T. Smith

PBB/RTK - 031620010953

RTK224

Secretary