

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2813
"GENERAL INSURANCE OMNIBUS ACT."

Amendment No. 1 to House Bill No. 2813.

Amend House Bill No. 2813 as engrossed, H3-27-03:

Page 1, line 13, after "21," and before "26," insert "23,"

AND

Page 15, delete Section 15 in its entirety and substitute the following:

"SECTION 15. Arkansas Code § 23-61-107(a)(1) and (2), concerning records maintained in the Insurance Commissioner's office, is amended to read as follows:

(a)(1) The Insurance Commissioner shall enter, in permanent form, records of his or her official transactions, examinations, investigations, and proceedings and keep these records in his or her office.

(2)(A) These records and insurance filings in his or her office shall be open to public inspection, except as otherwise provided in the Arkansas Insurance Code with respect to particular records or filings.

(B) The commissioner may establish a retention-destruction schedule for records of his or her office, in order to dispose of hard copy and electronic copy records five (5) years after receipt or creation, or two (2) years after hard copy records have been reduced to electronically imaged records for retention until proper disposition, except for State Insurance Department records whose retention or destruction is subject to other applicable provisions of Arkansas law.

(C) The commissioner may dispose of consumer complaint records in the five-year cycle under (a)(2)(B) of this section.

(D) The commissioner may adopt rules and regulations governing records maintenance and destruction in accordance with this and other applicable provisions of Arkansas law."

AND

Page 27, delete Section 22 in its entirety and appropriately renumber the subsequent sections of the bill.

AND



Page 49, delete line 33 and substitute the following:

“SECTION 61. Arkansas Code § 23-61-113(b), concerning the Insurance Commissioner’s rulemaking authority relating to disclosure of nonpublic personal information, is amended to read as follows:

(b) The Insurance Commissioner shall adopt rules and regulations governing the treatment of consumer financial and protected health information by the Arkansas Comprehensive Health Insurance Pool and 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.

SECTION 62. EMERGENCY CLAUSE. It is found and determined by the”

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

By: Senator Miller
AAF/CDS - 041520030917
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Secretary