

**Hall of the House of Representatives**  
88th General Assembly - Regular Session, 2011  
**Amendment Form**

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**Subtitle of House Bill No. 2138**

TO ALLOW THE INSURANCE COMMISSIONER TO PROTECT ARKANSANS BY THE  
CONTINUED LOCAL REGULATION OF INDIVIDUAL HEALTH INSURANCE COVERAGE.  
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**Amendment No. 3 to House Bill No. 2138**

Amend House Bill No. 2138 as engrossed, H3/24/11 (version: 3/24/2011 09:44:03 AM)

Page 41, delete line 27, and substitute the following:

"repealed provision shall be null and void.

SECTION 9. EFFECTIVE DATE.

(a) Section 23-61-103(a)(2) and Section 7 of this Act shall not take effect until the earlier of either:

(1) A ruling by the United States Supreme Court that the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111 - 152 is constitutional; or

(2) November 15, 2011.

(b) The Insurance Commissioner shall not spend any monies given through a federal grant dealing with the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111 - 152, unless approved by all appropriate legislative bodies pursuant to existing appropriation requirements, and until the earlier of either:

(1) A ruling by the United States Supreme Court that the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111 - 152 is constitutional; or

(2) November 15, 2011.

(c) Nothing in subsection (b) shall be construed to limit or prevent the commissioner from either spending any portion of the federal grant monies already procured by the State Insurance Department, or attempting to procure additional federal grants prior to the dates specified in subsection (b)."



The Amendment was read \_\_\_\_\_  
By: Representative Allen  
DLP/DLP - 03/25/11 09:00  
DLP234

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