

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Bradford

SENATE BILL 381

"AN ACT TO GRANT IMMUNITY FROM CIVIL LIABILITY TO PERSONS
FURNISHING INFORMATION REGARDING FRAUDULENT INSURANCE ACTS
AND TO THE INSURANCE COMMISSIONER AND EMPLOYEES OF THE
ARKANSAS INSURANCE DEPARTMENT; AND FOR OTHER PURPOSES."

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

SECTION 1. In the absence of fraud or bad faith, no person shall be subject to civil liability, and no civil cause of action of any nature shall arise against such person (1) for any information relating to suspected fraudulent insurance acts furnished to or received from law enforcement officials, their agents and employees; or (2) for any information relating to suspected fraudulent insurance acts furnished to or received from other persons subject to the provisions of the insurance laws of this State; or (3) for any such information furnished in reports to the Insurance Department, National Association of Insurance Commissioners or any organization established to detect and prevent fraudulent insurance acts, their agents, employees or designees; nor shall the Insurance Commissioner or any employee of the Arkansas Insurance Department, in the absence of fraud or bad faith, be subject to civil liability and no civil cause of action of any nature shall arise against such person by virtue of the publication of any report or bulletin related to the official activities of the Insurance Department. Nothing herein is intended to abrogate or modify in any way any common law or statutory privilege or immunity heretofore enjoyed by any person.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General

Assembly that the laws of this State concerning the insurance matters covered in the subject of this Act are inadequate for the protection of the public. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

