

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 849

4 By: Senators Dowd and Gordon

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 23-87-117 PERTAINING TO THE
9 LIMITATION OF COMPENSATION UNDER CREDIT LIFE AND
10 DISABILITY INSURANCE POLICIES; AND FOR OTHER PURPOSES."

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Subtitle

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

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20 SECTION 1. Ark. Code 23-87-117(c) is amended to read as follows:

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"(c) Provided further, any and all payments to all direct and indirect successors in interests whether through purchase, gift, devise, or otherwise, related to all accounts registered under this section shall also not be deemed compensation. A direct or indirect successor in interest includes, but is not limited to, any person or entity which acquires shares of stock in an insurer or reinsurer or the owner of an insurer or reinsurer, either directly from a shareholder whose account was in existence on January 17, 1989, and which was registered with the commissioner as described in subsection (b) (or from a direct or indirect successor in interest of such a shareholder) or from the issuer of such stock if the stock was previously reacquired by the issuer from a shareholder whose account was in existence on January 17, 1989, and which was so registered (or from a direct or indirect successor in interest of such a shareholder), provided that the total number of shareholders of such insurer or reinsurer or the owner of such insurer or reinsurer, including direct or indirect successors in interest, does not

1 exceed the total number of shareholders whose accounts were in existence on
2 January 17, 1989, and were registered with the commissioner as described in
3 subsection (b), *and that such successors in interest were not licensed with*
4 *the commissioner as agents of a domestic Arkansas chartered credit life or*
5 *disability insurer on March 14, 1995."*

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7 SECTION 2. All provisions of this act of a general and permanent
8 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
9 Code Revision Commission shall incorporate the same in the Code.

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11 SECTION 3. If any provision of this act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 act are declared to be severable.

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17 SECTION 4. All laws and parts of laws in conflict with this act are
18 hereby repealed.

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20 SECTION 5. EMERGENCY. It is hereby found and determined by the
21 General Assembly that the present insurance laws are inadequate for the
22 protection of the public; and the immediate passage of this act is necessary
23 in order to provide for the protection of the public. Therefore, an
24 emergency is hereby declared to exist and this act being necessary for the
25 immediate preservation of the public peace, health and safety shall be in
26 full force and effect from and after its passage and approval.

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