

Stricken language would be deleted from present law. Underlined language would be added to present law.

As Engrossed: H1/31/97 H2/4/97

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1272

4
5 By: Representatives Jeffress and Angel

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 23-89-403 TO
10 EXTEND THE MINIMUM LIMITS OF UNINSURED MOTORIST COVERAGE
11 FOR BODILY INJURY; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND A.C.A. § 23-89-403 TO EXTEND
15 THE MINIMUM LIMITS OF UNINSURED MOTORIST
16 COVERAGE FOR BODILY INJURY."

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

20 SECTION 1. Arkansas Code Annotated § 23-89-403(a) is amended to read as
21 follows:

22 "(a)(1) No automobile liability insurance covering liability arising
23 out of the ownership, maintenance, or use of any motor vehicle shall be
24 delivered or issued for delivery in this state with respect to any motor
25 vehicle registered or principally garaged in this state unless coverage is
26 provided therein or supplemental thereto and is not less than limits described
27 in § 27-19-605, under provisions filed with and approved by the Insurance
28 Commissioner, for the protection of persons insured thereunder who are legally
29 entitled to recover damages from owners or operators of uninsured motor
30 vehicles because of bodily injury, sickness, or disease, including death,
31 resulting therefrom.

32 (2) However, the coverage required under this section shall not
33 be applicable where any insured named in the policy shall reject the coverage,
34 and this rejection shall continue until withdrawn in writing by the insured.

35 (3) Should a named insured or applicant purchase third-party
36 liability coverage in greater limits than the minimum provided in § 27-19-605,

1 the insurer shall have available, upon written request of a named insured or
2 applicant, coverage required under this section in limits up to his or her
3 third-party liability limits. No insurer shall be required to offer, provide,
4 or make available coverage conforming to this Section in connection with an
5 excess policy, umbrella policy or any other policy which does not provide
6 primary motor vehicle insurance for liabilities arising out of the ownership,
7 maintenance or use of a specifically identified motor vehicle."

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

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

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

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/s/Rep.Jeffress, et al

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