

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

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

A Bill

HOUSE BILL 1799

4
5 By: Representative Brown

For An Act To Be Entitled

9 "AN ACT TO MAKE DISCRIMINATION A REBUTTABLE PRESUMPTION
10 FOR CERTAIN CLASSES OF BUSINESS UNDER CERTAIN
11 CIRCUMSTANCES AND TO REQUIRE THE REPORTING OF UNDERWRITING
12 DATA FOR CERTAIN CLASSES OF BUSINESS; AND FOR OTHER
13 PURPOSES."

Subtitle

16 "TO MAKE DISCRIMINATION A REBUTTABLE
17 PRESUMPTION FOR CERTAIN CLASSES OF
18 BUSINESS UNDER CERTAIN CIRCUMSTANCES AND
19 TO REQUIRE THE REPORTING OF UNDERWRITING
20 DATA FOR CERTAIN CLASSES OF BUSINESS."

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

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24 SECTION 1. Subsection (7) of Arkansas Code 23-66-206 is amended by
25 adding new subdivision (H) at the end of the existing subsection (7) to read
26 as follows:

27 "(H) Unfair Discrimination as it applies to subdivisions (C) and (D)
28 of subsection 7 of this Section for personal lines contracts of insurance as
29 defined in § 23-80-306(b)(1)(B), shall be deemed a rebuttable presumption
30 whenever the commissioner has received a sufficient number of complaints
31 against an insurer or agent for refusing to issue, refusing to renew,
32 cancelling, or limiting the amount of insurance coverage in any zip code or
33 other geographically identifiable area established by the commissioner."

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35 SECTION 2. All provisions of this act of a general and permanent nature
36 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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

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10 hereby repealed.

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