

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1350

4
5 By: Representative Glover
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For An Act To Be Entitled

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9 "AN ACT TO AMEND THE CONFIDENTIALITY OF ANCILLARY
10 INFORMATION ACQUIRED BY INSURANCE DEPARTMENT EXAMINERS
11 AND AUDITORS. "

Subtitle

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14 "TO AMEND THE CONFIDENTIALITY OF
15 INSURANCE DEPARTMENT EXAMINERS
16 WORKPAPERS AND ANALYSES. "

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

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21 SECTION 1. Arkansas Code 23-61-207 is hereby amended to read as
22 follows:

23 "23-61-207. Confidentiality of ancillary information.

24 All working papers, recorded information, documents, and copies thereof
25 produced by, obtained by, or disclosed to the commissioner or any other person
26 in the course of an examination made under this subchapter must be given
27 confidential treatment and are not subject to subpoena and may not be made
28 public by the commissioner or any other person, except to the extent provided
29 in §23-61-205. In addition, all workpapers, financial statement analyses,
30 ratio calculations, and any other materials produced by department financial
31 examiners, or analysts, or documents submitted or disclosed to the department
32 by an insurer in response to a request from a department financial examiner,
33 or analyst, during the course of reviewing or investigating the financial
34 solvency, condition or affairs of an insurer, shall be confidential and not
35 subject to subpoena, except to the extent as provided in §23-61-205. Access
36 may also be granted to the National Association of Insurance Commissioners.

1 Such parties must agree in writing prior to receiving the information to
2 provide to it the same confidential treatment as required by this section,
3 unless the prior written consent of the company to which it pertains has been
4 obtained."

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

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

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