1 State of Arkansas   *As Engrossed: H2/5/01*

2 83rd General Assembly   # A Bill

3 Regular Session, 2001   HOUSE BILL 1275

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5 By: Representative Glover

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8   **For An Act To Be Entitled**

9   AN ACT TO AMEND ARKANSAS CODE 23-61-101 TO CLARIFY THE

10   PURPOSE OF THE ARKANSAS INSURANCE DEPARTMENT; TO AMEND

11   ARKANSAS CODE 23-61-110 TO ALLOW THE COMMISSIONER TO

12   INTERVENE IN LAWSUITS FOR ENFORCEMENT OF THE INSURANCE

13   CODE; AND FOR OTHER PURPOSES.

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15   **Subtitle**

16   TO CLARIFY THE PURPOSE OF THE INSURANCE

17   DEPARTMENT AND ALLOW THE COMMISSIONER TO

18   INTERVENE IN LAWSUITS.

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

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23   SECTION 1. Arkansas Code 23-61-101 is amended to add an additional

24 subsection to read as follows:

25   (c) The purpose of the State Insurance Department is to serve and

26 protect the public interest by the equitable enforcement of the state's laws

27 and regulations affecting the insurance industry. The primary mission of the

28 State Insurance Department shall be consumer protection through insurer

29 solvency and market conduct regulation, and fraud prosecution and deterrence.

30 *Nothing in this subsection shall be construed to limit the commissioner's*

31 *authority as enumerated in other provisions of the Insurance Code.*

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33   SECTION 2. Arkansas Code 23-61-110(a)(1), concerning Insurance

34 Department involvement in lawsuits, is amended to read as follows:

35   (a)(1) *The commissioner may institute such suits or* other legal

36 proceedings as may be required for enforcement of any provisions *of this code.*

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1   *In addition, the commissioner may intervene in any civil suit or*

2   *administrative hearing initiated by another party against any person or entity*

3   *regulated by the commissioner under this code which suit or proceeding*

4   *directly relates to the financial condition and solvency of such person or*

5   *entity. Nothing in this subsection shall be construed to limit the*

6   *commissioner's authority as enumerated in other provisions of the Insurance*

7   *Code.*

8   */s/ Glover*

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