

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2729

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5 By: Representative Matayo
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For An Act To Be Entitled

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9 AN ACT TO AMEND INSURANCE LAWS REGARDING
10 RECIPROCITY AND UNIFORMITY IN PRODUCER LICENSING
11 TO COMPLY WITH THE GRAMM-LEACH-BLILEY ACT OF
12 1999; TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS'
13 INSURANCE PRODUCER LAWS; AND FOR OTHER PURPOSES.
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Subtitle

15 OMNIBUS INSURANCE PRODUCER ACT.
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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 § 8-7-805(a) and (b), concerning Arkansas
22 license or permit bonds for individuals to be certified for the installation
23 or testing of an underground storage tank, are amended to read as follows:

24 (a) It shall be unlawful for an individual to certify the installation
25 or testing of an underground storage tank unless the individual has been duly
26 licensed by the Arkansas Department of Environmental Quality.

27 (b)(1) Furthermore, no licensee shall install, remove, repair, close,
28 upgrade, or test any underground storage tank unless the licensee or the
29 contracting company by whom he is employed has purchased a surety bond:

30 (A) In the amount of at least twenty-five thousand dollars
31 (\$25,000); and

32 (B) Which states that the department is the obligee of the
33 bond.

34 (2) The bond must be issued by a company licensed to do business
35 in the State of Arkansas and executed by ~~a resident~~ an Arkansas agent. ~~The~~
36 ~~mere countersigning by an Arkansas agent will not suffice.~~



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SECTION 2. Arkansas Code § 23-64-217(a), concerning electronic notice to insurance producers regarding license sanctions, is amended to read as follows:

(a)(1) Upon the suspension or revocation of a license, the Insurance Commissioner shall immediately notify the licensee of the suspension or revocation either in person or by mail addressed to the licensee at the licensee's address last of record with the commissioner or by electronic notice.

(2) Notice by mail or by electronic mail shall be deemed effectuated when so mailed.

(3) The commissioner shall give like notice to the insurers represented by the agent in the case of an agent's license. Upon receipt of notice from the commissioner that the license has been revoked, each insurer represented by the agent shall take appropriate and prompt action necessary to:

(A) Retrieve from the agent all solicitation materials, policy applications, binders, and any and all other materials in the possession of the agent which are the property of such an insurer; and

(B) Retrieve the agent's policyholder files and records for policies in force at the time such an insurer receives notice of the revocation.