

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 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: H3/24/09

# A Bill

HOUSE BILL 2075

5 By: Representative Hawkins  
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## For An Act To Be Entitled

8  
9 AN ACT TO AMEND ARKANSAS CODE § 23-89-216, AS  
10 ENACTED BY ACT 485 OF 2009, CONCERNING INSURANCE  
11 MATTERS; AND FOR OTHER PURPOSES.  
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### Subtitle

13 AN ACT CONCERNING INSURANCE MATTERS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 23-89-216, as enacted by of Act 485 of  
20 2009, is amended to read as follows:

21 23-89-216. Notice concerning use of insurance proceeds.

22 (a) When making payment to a third-party on a claim under a motor  
23 vehicle insurance policy for damage to a motor vehicle, a motor vehicle  
24 liability insurer shall provide a written notice to the ~~insured~~ third-party  
25 claimant in substantially the following form:

26 "Failure to use the insurance proceeds in accordance with a security  
27 agreement between you and a lienholder, if any, may constitute the criminal  
28 offense of defrauding a secured creditor in violation of Arkansas Code § 5-  
29 37-203. If you have any questions, contact your lienholder."

30 (b) The written notice required by subsection (a) of this section may  
31 be provided by including the written notice on each written loss estimate  
32 prepared in connection with the claim.  
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34 /s/ Hawkins  
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