

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 206

5 By: Senator J. Hutchinson
6

For An Act To Be Entitled

8 AN ACT TO CLARIFY THE RESPONSIBILITY FOR REMITTING
9 PREMIUM TAXES APPLICABLE TO DOMESTIC SURPLUS LINES
10 INSURANCE COMPANIES; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO CLARIFY THE RESPONSIBILITY FOR
13 REMITTING PREMIUM TAXES APPLICABLE TO
14 DOMESTIC SURPLUS LINES INSURANCE
15 COMPANIES.
16
17
18
19

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

22 SECTION 1. Arkansas Code § 23-65-320 is amended to read as follows:

23 23-65-320. Domestic surplus lines insurers.

24 (a) A domestic insurer possessing policyholder surplus of at least
25 twenty million dollars (\$20,000,000) may be:

26 (1) Designated as a domestic surplus lines insurer with the
27 written approval of the Insurance Commissioner; and

28 (2) Allowed to write surplus lines insurance in any jurisdiction
29 in which it is eligible.

30 (b) A domestic surplus lines insurer is:

31 (1) ~~Subject to the surplus lines premium tax;~~

32 ~~(2) Deemed a~~ A nonadmitted surplus lines insurer in the State of
33 Arkansas; and

34 ~~(3)~~ (2) ~~Deemed a~~ A nonadmitted surplus lines insurer under the
35 Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. No. 111-
36 203.



1 (c) A domestic surplus lines insurer is not subject to:

2 (1) The Arkansas Property and Casualty Insurance Guaranty Act, §
3 23-90-101 et seq.; or

4 (2) The Arkansas Life and Health Insurance Guaranty Association
5 Act, § 23-96-101 et seq.

6 ~~All provisions of the Arkansas Insurance Code regarding financial~~
7 ~~and solvency requirements apply to domestic surplus lines insurers unless~~
8 ~~domestic surplus lines insurers are otherwise specifically exempted. A~~
9 ~~surplus lines broker that obtains surplus lines insurance from a domestic~~
10 ~~surplus lines insurer shall comply with § 23-65-315.~~

11 (e) Unless specifically exempt, the insurance laws of this state
12 regarding financial and solvency requirements apply to a domestic surplus
13 lines insurer.