

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1672

5 By: Representative Miller  
6 By: Senator Hill  
7

## For An Act To Be Entitled

9 AN ACT TO REQUIRE THE INSURANCE COMMISSIONER TO PAY  
10 ATTORNEY'S FEES AND COSTS IN CERTAIN CASES; AND FOR  
11 OTHER PURPOSES.  
12  
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## Subtitle

14 TO REQUIRE THE INSURANCE COMMISSIONER TO  
15 PAY ATTORNEY'S FEES AND COSTS IN CERTAIN  
16 CASES.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 23-61-307(i), concerning the costs awarded  
23 upon appeal of an order of the Insurance Commissioner, is amended to read as  
24 follows:

25 (i)(1) ~~Costs~~ Except as provided in subdivision (i)(2) of this section,  
26 costs shall be awarded as in civil actions.

27 (2)(A) If the commissioner enters an order against an  
28 independent licensee that imposes fines greater than five thousand dollars  
29 (\$5,000) or a revocation of license and the independent licensee appeals the  
30 commissioner's order and prevails, the commissioner shall pay the attorney's  
31 fees and costs of the independent licensee that have accrued since initiation  
32 of administrative proceedings by the commissioner.

33 (B) If the commissioner then appeals the ruling from the  
34 circuit court, the commissioner shall pay the attorney's fees and costs of  
35 the independent licensee whether or not the commissioner prevails.  
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