

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____



Michael Preston
SECRETARY OF COMMERCE

Alan McClain
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

DATE: FEBRUARY 10, 2022
TO: ALL INTERESTED PARTIES
FROM: ARKANSAS INSURANCE DEPARTMENT
SUBJECT: RULE 5: "COMPANIES ANTIFRAUD ASSESSMENT"

NOTICE OF RULE MAKING AND PUBLIC HEARING

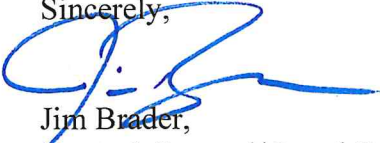
Please find attached or available by electronic publication by the Arkansas Insurance Department ("AID") Proposed Amended Rule 5, "Companies Antifraud Assessment."

Pursuant to Arkansas Administrative Procedures Act, and other applicable laws or rules, NOTICE is hereby given that a PUBLIC HEARING will be held on March 8, 2022 at 10:00 A.M., in the Second Floor Hearing Room ("Diamond Mine"), at the Arkansas Department of Commerce, 1 Commerce Way, Little Rock, AR 72202.

The purpose of the proposed amendment to Rule 5 is to align the rule with Ark. Code Ann. § 23-100-104, which governs when and how insurance companies submit the annual antifraud fee. The governing statute was amended in 2017 by Act 283, § 22, which moved the due date from June 30th to June 1st each year. Current AID Rule 5 became effective in 1999 prior to that legislative change; this amendment to the rule properly aligns the due date with date in the statute. It also clarifies that the method of submitting the amount to the Arkansas Insurance Department is electronically through the "OptIns" System.

This Notice is required by the Arkansas Administrative Procedures Act in Ark. Code Ann. § 25-15-206. Copies of the proposed Rule may be obtained by writing or calling the Arkansas Insurance Department, or by visiting its Internet site at <https://www.insurance.arkansas.gov/pages/industry-regulation/legal/proposed-rules/>. Comments from the public will be accepted until March 14, 2022 and may be submitted to the Department in writing at the address above or electronically to the following email address: insurance.legal@arkansas.gov.

Sincerely,


Jim Brader,
General Counsel/ Legal Division
Arkansas Insurance Department



Michael Preston
SECRETARY OF COMMERCE

Alan McClain
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

NOTICE OF RULE MAKING AND PUBLIC HEARING

The Arkansas Insurance Department (“AID”) will host a Public Hearing on March 8, 2022 at 10:00 A.M., in the Second Floor Diamond Mine Hearing Room, in the Arkansas Department of Commerce Building, One Commerce Way, Little Rock, Arkansas 72202. The Arkansas Insurance Commissioner is considering adopting proposed amended AID Rule 5 and proposed amended AID Rule 56.

The purpose of the proposed amendment to AID Rule 5 is to align the rule with Ark. Code Ann. § 23-100-104, which governs when and how insurance companies submit the annual antifraud fee. The governing statute was amended in 2017 by Act 283, § 22, which moved the due date from June 30th to June 1st each year. Current AID Rule 5 became effective in 1999 prior to that legislative change; this amendment to the rule properly aligns the due date with date in the statute. It also clarifies that the method of submitting the amount to the Arkansas Insurance Department is electronically through the “OptIns” System.

The purpose of the proposed amendment to AID Rule 56 pertains to the financial regulation fee insurers must pay annually pursuant to Ark. Code Ann. §23-61-703. The statute was amended in 2009 by Act 726, §9 to make the fee due on or before June 1st of each year. The current AID Rule 56 became effective in 1993, and still reflects the due date of June 30th from the former statute; this proposed amendment will align the dates. It also clarifies that the method of submitting the amount to AID is electronically through the “OptIns” System.

Comments from the public will be accepted until March 14, 2022, and may be submitted to AID in writing at the address above or electronically to the following email address: insurance.legal@arkansas.gov. Copies of the proposed Rule may be obtained by writing or calling the Arkansas Insurance Department at 501-371-2820, or by visiting its internet site at <https://www.insurance.arkansas.gov/pages/industry-regulation/legal/proposed-rules/>.



Michael Preston
SECRETARY OF COMMERCE

Alan McClain
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

February 10, 2022

Honorable John Thurston
Arkansas Secretary of State
State Capitol Building
Little Rock, AR 72201
Attn. Arkansas Register

sent via email: register@sos.arkansas.gov

Re: Proposed Amended Rule 5 "Companies Antifraud Assessment"

Dear Secretary:

The Arkansas Insurance Department has scheduled a public hearing as to Proposed Amended Rule 5 "Companies Antifraud Assessment." Enclosed are the DOI Notices of Public Hearing and a copy of the proposed rule.

Please arrange to publish the information in a format acceptable to the Secretary for at least 30 days in advance. Can you send us confirmation that we can use in the transcript as a public hearing exhibit?

An electronic filing will be made within the statutorily required 7 days. Thanks for your help.

Sincerely,

Clara Mezza
Legal Administrative Coordinator/Legal Division
clara.mezza@arkansas.gov
501-683-3497

Enclosures