

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

SENATE BILL 891

4
5 By: Senator Argue

For An Act To Be Entitled

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7
8 AN ACT CONCERNING CERTIFICATE OF AUTHORITY
9 REQUIREMENTS FOR INSURERS; AND FOR OTHER
10 PURPOSES.
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Subtitle

12
13 AN ACT CONCERNING CERTIFICATE OF
14 AUTHORITY REQUIREMENTS FOR INSURERS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 23-63-201(d)(1), concerning certificates of
21 authority for insurers, is amended to read as follows:

22 (d)(1)(A) The commissioner may, in his or her reasonable discretion
23 guided by the standards herein contained and consistent with the purpose
24 hereinafter set forth, issue a special permit to make fixed-dollar life-only
25 annuity agreements with donors to any duly organized domestic or foreign
26 nonstock corporation or association conducted without profit and engaged in
27 active operation for at least five (5) years prior thereto solely in bona
28 fide charitable, religious, missionary, educational, or philanthropic
29 activities.

30 (B) The commissioner may approve the issuance of a permit
31 to such a corporation or association that has not itself been engaged in
32 active operation for five (5) years if he or she is reasonably satisfied that
33 the entity is affiliated with a corporation or association of this
34 description that has been in operation for such a period and that there is
35 readily available to the entity requesting the permit an adequate level of
36 management expertise.



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(C) The permit shall authorize the corporation or association to receive gifts of money conditioned upon, or in return for, its agreement to pay an annuity to the donor, or his or her nominee, and to make and carry out the annuity agreement.

(D) Every such corporation or association shall, before making such agreements, file with the commissioner for his approval either:

(i) A schedule of its maximum annuity rates which shall be computed on the basis of the annuity standard adopted by it for calculating its reserves; or

(ii) A statement certifying that it adopts and will adhere to the annuity rates as published from time to time by the ~~Committee on Gift Annuities of Dallas, Texas,~~ American Council on Gift Annuities or its successor, until such corporation or association advises the commissioner to the contrary in writing. At such latter time, the corporation or association shall then file a schedule of its new proposed maximum annuity rates for approval.

(E) Filings and approvals required herein shall be subject to the provisions of §§ 23-79-109 and 23-79-110.