

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 76

5 By: Senator B. Johnson
6 By: Representative Steimel
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING MISCELLANEOUS
10 PROHIBITED PRACTICES UNDER THE ARKANSAS INSURANCE
11 CODE; TO CLARIFY FEES COLLECTED BY CERTAIN BROKERS;
12 AND FOR OTHER PURPOSES.
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Subtitle

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16 TO AMEND THE LAW CONCERNING
17 MISCELLANEOUS PROHIBITED PRACTICES UNDER
18 THE ARKANSAS INSURANCE CODE; AND TO
19 CLARIFY FEES COLLECTED BY CERTAIN
20 BROKERS.
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 23-66-310(c), concerning excess fees
25 charged for insurance by a licensed property or casualty agent or broker, is
26 amended to read as follows:

27 (c)(1) Nothing shall prohibit a ~~duly~~ licensed property or casualty
28 agent or broker or surplus lines broker from charging a fee to the insured in
29 addition to the premium properly charged for a policy or contract according
30 to the insurer's rate and rule filings with the State Insurance Department,
31 provided that:

32 ~~(1)(A)~~ Each ~~such~~ fee is separately disclosed on the
33 invoice or billing statement mailed or delivered to the insured; and

34 ~~(2)(B)(i)~~ The aggregate sum of the fees and all producers'
35 commissions or other compensation due and owing for that policy or contract
36 does not exceed twenty percent (20%) of the total gross premium charged the



1 insured by the insurer for that policy or contract.

2 (ii) If a licensed property or casualty agent or
3 broker refers a risk to a surplus lines broker licensed under § 23-65-308,
4 then subdivision (c)(1)(B)(i) of this section does not apply.

5 (2) The fee under subdivision (c)(1) of this section shall be
6 reasonable in relation to the cost of underwriting, issuing, and processing
7 the policy or contract.

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