PROPOSED RULE AND REGULATION 57
INSURANCE DEPARTMENT ADMINISTRATIVE AND REGULATORY FEES

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SECTION 1. PURPOSE.

The purpose of this Rule and Regulation is to implement and clarify the pertinent fee provisions of Act 652 of 1993, "The State Insurance Department Trust Fund Act" [codified at Ark. Code Ann. §§ 23-61-701 et seq.]; Act 901 of 1993, the Department's "Omnibus Act"; Act 787 of 1993, the "Life Care Providers Act" [codified at Ark. Code Ann. §§ 23-93-201 et seq.] and others. This Rule is designed to specify the amount, method and manner of payment of nonrefundable administrative and regulatory fees of insurers, agents and other licensees or registrants, as well as other filing fees for various Arkansas Insurance Department ("Department") products and services, all of which are payable to "The State Insurance Department Trust Fund" ("Trust Fund").

It is also to emphasize that fees charged under current laws are not affected, diminished or altered by the provisions of this Rule. As appropriate, and to the extent fees are charged under other Arkansas laws for the same product, process or service as to which a fee is to be paid pursuant to the Acts referenced herein and this Rule and Regulation, this Rule is to provide for the payment of all of such fees in a coordinated, consistent manner.

SECTION 2. AUTHORITY; SCOPE AND APPLICATION.

(a) AUTHORITY. The Insurance Commissioner hereby promulgates and issues this Rule and Regulation under his authority pursuant to the provisions of Ark. Code Ann. §§23-61-701 et seq., 23-61-108, 25-15-201 et seq., and other applicable Arkansas laws.

(b)(1) SCOPE AND APPLICATION.This Rule or any applicable parts shall apply to insurers, agents and other current or former licensees, permittees, registrants, and applicants for licensure of the Insurance Commissioner. Such licensees, registrants or permittees or applicants for licensure shall include but not be limited to:

(A) Insurers and Similar Entities: All licensed domestic, foreign and alien insurance companies, including but not limited to stock and mutual insurers, title insurance companies, mutual assessment life and disability insurers, reciprocal insurers, approved but not admitted surplus line insurers, health maintenance organizations ("HMO's"), fraternal benefit societies, hospital and medical service corporations, stipulated premium insurers, farmers' mutual aid associations ("FMAA's"), prepaid legal insurers, advisory/rate service organizations, property and casualty JUA's, associations, pools and syndicates not qualifying as advisory organizations under §§23-67-101, et seq.;

(B) Auto Clubs: All licensed automobile clubs or associations;

(C) Agents and Brokers: All licensed resident and non-resident insurance agents, brokers, viatical settlement agents and brokers, consultants, risk retention group agents and purchasing group brokers, HMO agents, prepaid legal insurance agents, FMAA agents, all licensed resident and non-resident insurance agencies;

(D) TPA's: All registered third party administrators ("TPA's");

(E) Education Course Providers: All current approved course providers for agent pre-licensure and continuing education;

(F) Fraternals; All licensed fraternal benefit society agents, excluding all officers, members, employees or other representatives exempt from examination or State licensure by statute;

(G) Adjusters: All licensed resident and non-resident adjusters and limited adjusters;

(H) Surplus Lines: All licensed resident surplus line brokers, and all licensed surplus line brokers for purchasing groups only;

(I) Continuing Care Facilities and Life Care Providers;

(J) Notary Bond Surety Corporations;

(K) Managing General Agents/Agencies;

(L) Reinsurance Intermediaries and Accredited/Trusteed Reinsurers;

(M) Employee Leasing Firms or Groups; and

(N) Others, as mentioned elsewhere in this Rule, or others as applicable.

All persons and entities referred to in paragraphs (b) (1) (A) through (b) (1) (N) may sometimes hereinafter be referred to collectively as "Licensees, Registrants, or Permittees."

(2) All administrative and regulatory fees set forth in this Rule and Regulation are in addition to any other fees imposed under current laws and rules, and shall be paid coincident with the payment of other fees currently owing. However, where practical and as

a convenience to the reader, certain statutory fees are referenced within this Regulation to assist the reader in determining the appropriate fee amount, when both the statute and this Regulation charge different fees for the same services. Note also, that a few fees referenced herein list an annual or biennial fee amount but may be due on an annual or biennial schedule.

(3) The Commissioner in his discretion may waive all or any part of any fee assessed under this if: (A) the Certificate of Authority, license, permit or registration is suspended or revoked; (B) if the Commissioner finds that the licensee, permittee or registrant is impaired or insolvent, or its continuing operations are hazardous to the public of this State; or (C) if the licensee, permittee or registrant is under domiciliary department supervision of this or another State, or court-ordered conservation, rehabilitation, liquidation or has filed for bankruptcy under Chapter 11 of Title 11, United States Code. Any licensee, permittee, registrant or its domiciliary conservator, rehabilitator, liquidator, or trustee in bankruptcy may request a fee waiver in writing; but the Commissioner may not consider waivers for those failing to file a written request therefor. Upon activation or reinstatement of any suspended certificate of authority, license, permit or registration, or upon approval of a bankruptcy reorganization plan or successful release from conservation or rehabilitation, then the licensee, permittee, or registrant shall automatically commence reporting and payment of any of the fees in this Rule applicable to resumed Arkansas operations under the license, permit or registration. Trust Fund reimbursement for fees which would have been required and assessed but for the waiver during that period shall not be required. Upon failure of any such person, firm, or corporation to file for waiver or pay the fees when due, or upon the Commissioner's denial of the requested waiver, the Commissioner may file his claim on behalf of the Trust Fund against any deposit or other asset of the person, firm or corporation as permitted by insurance and other applicable laws of this State.

(4) It is the intent of the Commissioner not to charge fees for filings which are made with the Department for "informational purposes only", and which are otherwise exempt from filing or not expressly required to be filed by statute, regulation, or order. The Commissioner in his reasonable discretion, reserves the right to determine whether, in fact, a particular filing is truly for informational purposes only.

SECTION 3. EFFECTIVE DATE.

The provisions of this Rule shall become effective January 1, 2016, upon statutory filing per Arkansas law.

SECTION 4. DERIVATION AND CLASSES OF FEES.

(a) Ark. Code Ann. §§23-61-701 et seq. provides the Department's authority to generate revenue to support its operations by the imposition of fees; it also divides certain of those fees into two categories, i.e. Category A and Category B. Fees in Category A are those involving material or substantive corporate transactions or those which consume substantial time of Department staff; those fees are capped at a maximum of $1,500 per transaction. Category B fees, on the other hand, are those involving other Departmental filings, transactions or services which do not require a substantial effort by Department staff; those fees are capped at a maximum of $50 per transaction.

(b) Caution: §§23-61-701 et seq. and other acts/statutes referenced above, authorize the imposition of other fees set forth in the Rule and Regulation and which are not subject to the respective Category A and Category B "caps".

SECTION 5. INSURERS (See Section 2(b)(1)(A).

SUBSECTION I.
CATEGORY "A" FEES (Maximum $1500)
(Per Covered Entity, filing, or transaction)

DEPARTMENT SERVICE OR PRODUCT FEE AMOUNTS

(a) Authorized or Licensed Insurers.

(1) Department expense for independent actuarial review of previously disapproved rate/rule filing set for hearing at filer's request (excluding Workers' Compensation which is not subject to a monetary cap)
EXPENSE AS INCURRED BUT NOT TO EXCEED----------$1500

(2) Filing and review of each Bulk or Assumption Reinsurance Agreement----------$ 500

(3) Filing and review of all documents necessary for issuance of Certificate of Incorporation for Domestic Insurers----------$ 500
(Coupled with the $100 fee in Ark. Code Ann. §23-61-401(1)(A) the total fee due is $600.)

(4) Reviewing all documents necessary for issuance of Original Certificate of Authority for all Companies---------- $ 500
(Coupled with the $500 fee in Ark. Code Ann. §23-61-401(1)(C) the total fee due is $1000.)

(5) Filing notice of appointment of Managing General Agent/Agency or Notice of Termination of Managing General Agent/Agency----------$ 500

(6) Review/processing of information necessary to amend an Arkansas Certificate of Authority----------$ 400
(Coupled with the $100 fee in Ark. Code Ann. §23-61-401(3)(C) the total fee due is $500.)

(7)(A) Filing and review of independent rate filings, initial filing to adopt an Advisory Organization's reference filing for loss costs, or filing to change the loss cost multiplier already on file, including companion rule filings required to implement the rate filings (P, C, S, M)----------$ 100
("P, C, S, M" signifies property, casualty [including workers' compensation], surety and marine insurance and all other specific lines identified at Ark. Code Ann. §§23-62-104 through 23-62-108.)

(B) Filing to adopt an Advisory Organization's reference for loss costs with no changes to company's loss cost multiplier already on file, including companion rule filing required to implement the new loss cost filing----------$ 50

(8) Issuance of an Original Certificate of Incorporation for Domestic Insurers----------$ 150
(Coupled with the $50 fee in Ark. Code Ann. §23-61-401(1)(B) the total fee due is $200.)

(9) Issuance of Original Certificate of Authority for all Companies---------- $ 150
(Coupled with the $150 fee in Ark. Code Ann. §23-61-401(1)(D)

the total fee due is $300.)

(10) Review and processing of amended Articles of Incorporation, each filing, each insurer----------$ 75
(Coupled with the $25 fee in Ark. Code Ann. §23-61-401(3)(A) the total fee due is $100.)

(b) Approved Non-Admitted Surplus Line Insurer.
Annual continuation of foreign surplus line company registration (DUE MARCH 1ST)----------$ 500

(c) Accredited/Trusteed Reinsurer
Initial registration and annual renewal for Accredited or Trusteed Status----------$ 500

SUBSECTION II.
CATEGORY "B" – MAXIMUM $50
(Per Covered Entity, Filing or Transaction)

ADMINISTRATIVE AND REGULATORY FEES FEE AMOUNTS

(a) Compliance.

(1) Filing or review of policy/contract, endorsements or certificates, riders, applications, or annuity forms, per submission (not per form)----------$ 50
*Note that a Service purchaser of an Advisory Organization must file the purchased Form for review.

(2) Filing/review of each Life and/or Disability rate filing or loss ratio guarantee filing, per insurer----------$ 50

(3) Filing of an independent rule filing or to adopt a reference or item filing of Advisory Organization, per item (excluding loss cost reference filing)----------$ 25

(4) Filing each set of new/amended or restated By-laws, per insurer, per filing---------- $ 25

(5) Life and/or Disability: Filing/review of insurer's advertisements, per advertisement, per each insurer---------- $ 25

(6) Policy, contract or annuity forms: Filing and review of each life and/or disability certificate rider, application, or endorsement, if filed separately from basic form, per insurer---------- $ 20

(7) Policy and contract forms, all lines, filing corrections in previously filed policy and contract forms----------$ 20

(8) Filing of each insurer address change, not involving an amendment to a Certificate of Authority or Articles of Incorporation, per filing, per insurer----------$ 10

(9) Filing of Department Forms I-71 as to cancellation/nonrenewal of all appointed insurance agents and agencies after a Name change or after Merger or Consolidation of two or more insurers----------$ 10

(10) Each filing of an individual Department Form I-71 as to cancellations/nonrenewals of agent appointments, each appointment, each insurer----------$ 10

(11) Preparation and execution of Certificates of

Compliance for insurers----------$ 15
(Coupled with the $5 fee in Ark. Code Ann. §23-61-401(14)(B) the total fee due is $20.)

(12) Filing biographical affidavits on insurer officers and directors per Rule and Regulation 7 (DOMESTIC INSURERS ONLY)----------$ 10

(13) Filing I-48 agent appointment forms for all appointed insurance agents and agencies in the new name of an insurer after a Name Change or after Merger or Consolidation of two or more insurers----------$ 10

(b) Insurers' appointments of Insurance Agents and Agencies. In addition to and as an increase of all other current agent license fees paid by insurers and others in connection with initial and renewal agent appointments under the Insurance Code or other applicable laws or rules, the following additional fees are hereby assessed insurers.

All AGENTS AND AGENCIES must note that even though statutorily, appointment fees are payable by insurers and even though Ark. Code Ann. §23-61-708(d) makes it clear that this economic burden must be borne by insurers, it is, nonetheless, the dual responsibility of agents and agencies to make sure that appointments are kept current.

(1) Initial appointment of non-resident insurance agent ----------$ 30

(2) Initial appointment of non-resident agency, including one (1) qualifying individual----------$ 30

(3) Annual fee for insurer's continuing appointment of non-resident insurance agent----------$ 30

(4) Annual fee for insurer's continuing appointment of non-resident agency, including one (1) qualifying individual------- $ 30

(5) Initial appointment and annual continuation of resident agent, individuals only, for full line appointments (life, disability and multi-line)----------$ 10

(6) Initial appointment and annual continuation of resident agent, individuals only, for limited line appointments----------$ 7

(7) Initial appointment and annual continuation of each resident agency, including one (1) qualifying individual, for full line appointments (life, disability and multi-line)----------$ 10

(8) Initial appointment and annual continuation of each resident agency, including one (1) qualifying individual, for limited line appointments----------$ 7

(9) Pre-licensing Electronic Education Fee, per hour of instruction------$ 1.00

(See Ark. Code Ann. §23-61-401 for additional agent/agency fees.)

CERTAIN PAYMENTS PROHIBITED. Ark. Code Ann. §23-61-708(d) prohibits agents from being compelled to pay insurer appointment fees for agent licensing, or being compelled to reimburse insurers for such appointment fees. The Commissioner in his discretion may discipline any insurer attempting to compel or compelling any agent to pay such appointment fees directly or indirectly.

SECTION 6. AGENTS, AGENCIES, BROKERS, VIATICAL SETTLEMENT AGENTS AND BROKERS, ADJUSTERS, LIMITED ADJUSTERS, CONSULTANTS, RISK RETENTION GROUP AGENTS, PURCHASING GROUP BROKERS, SURPLUS LINE BROKERS, SURPLUS LINE BROKERS FOR PURCHASING GROUPS ONLY, HMO

AGENTS, PREPAID LEGAL INSURANCE AGENTS, FRATERNAL BENEFIT SOCIETY AGENTS, FMAA AGENTS.

(a) (1) APPLICANTS FOR NEW, FIRST TIME LICENSE:----------$35 FEE.
Each new applicant (individual or agency) for any first time resident or non-resident license of each and every kind as listed in the heading of this Section shall pay a nonrefundable THIRTY-FIVE DOLLAR ($35) administrative and regulatory fee for each and every original license or type of license as referenced in Ark. Code Ann. §23-61-706(b) (excluding third party administrators).

(2) ANNUAL RENEWAL FEES: CURRENT LICENSEES AND FIRST TIME RENEWALS.
(A) For the fiscal year beginning July 1, 1998, all individuals holding any one or more valid and subsisting resident or nonresident AGENT licenses, shall pay the annual regulatory renewal fee on or before their birthday, and annually on their birthday thereafter.
(B) For the fiscal year beginning July 1, 1998, all entities holding any one or more valid and subsisting resident or nonresident AGENCY licenses, shall pay the annual regulatory renewal fee on or before October 1 and annually on the same day thereafter.

(3) TYPE OF LICENSE: The phrase "type of license" refers to the particular kind of license held by the licensee rather than the type or line of business the license authorizes the licensee to transact. Thus, an agent authorized to transact one or more lines of insurance still has only one license, and the applicable fee is $35. If however, the same licensee also hold a broker's license and a surplus line broker's license (a total of 3 licenses), the licensee would owe three (3) separate fees of $35 each, for a total of $105.

(4) INSURER CHECKS PROHIBITED. Section 1 of Act 901 of 1993 prohibits insurers from paying the $35 annual fee per license of agents and others described in Subsection (a) of this Section. Each agent or other licensee will have to submit his own separate check or money order, or pay cash for payment of these license fees. Fees may be paid by licensing bureaus which, in turn, must charge this cost back to the agent/licensee. The Department will reject or refund any insurer checks. [This does not prohibit insurer payment of agent examination fees.]

(b) Agents.
(1) Filing application for each examination, per applicant, shall be as determined by the Commissioner or Vendor of the Commissioner.
(2) Licensing: Letters of Clearance or Letters of Certification, per each license, per each letter----------$ 5

(c) Agents, Agencies, Brokers, Viatical Settlement Agents and Brokers, Adjusters, Limited Adjusters, Consultants, Risk Retention Group Agents, Purchasing Group Brokers, Surplus Line Brokers, Surplus Line Brokers for Purchasing Groups only, HMO Agents, Prepaid Legal Insurance Agents, Fraternal Benefit Society Agents, FMAA Agents, and any other applicant, or licensee, registrant or permittee with records in the Department:
Review, processing, and retrieval for copying, certifying, or other distribution upon written request for information regarding individual agents (resident & nonresident), per each agent/agency, (exempting governmental agencies, insurance buying public, or others upon Commissioner's discretion)----------$ 10

(d) Agencies.
(1) Filing and review of change of name or business address---------$ 10
(2) Adding/deleting individual agents from agency licenses----------$ 10

SECTION 7. INSURANCE HOLDING COMPANY TRANSACTIONS.
(Fees below are per each holding company, not per each licensed insurer.)

(a) Filing and review of each Form A on Acquisitions/Change in Control (DOMESTIC ONLY)----------$1000
(b) Filing and review of each Request for Exemption from Filing of Registration Statements or Amendments (FORM B) (FOREIGN & ALIEN COMPANIES)----------$ 100
(c) Filing/review of Holding Company Registration Statement (Forms B and C) (all companies)----------$ 100
(d) Filing and review of Amendments to Holding Company Registration Statements, including annual refiling (Form B) (all companies)-----$ 50
(e) Filing Pre-Acquisition Notifications (Form E) or requests for exemptions therefrom per Ark. Code Ann. §§23-63-525 - 530----------$ 100
(f) Filing and Review of Registration Statements – Material Transactions with Affiliates (Form D) (Domestics)----------$ 100

SECTION 8. HEALTH MAINTENANCE ORGANIZATIONS.

(a) Filing Pre-Acquisition Notification for Mergers/Charter Sales and Bulk Reinsurance Agreements----------$ 100
(b) Filing Amendments to Certificates of Authority, per each filing, per each HMO----------$ 150
(c) Filing and review of provider contracts, per HMO, per contract form----------$ 50
(d) Filing/Review of Enrollee's Certificate----------$ 50
(See Ark. Code Ann. §23-76-127 for additional HMO fees.)

SECTION 9. RATE SERVICE OR ADVISORY ORGANIZATIONS.

(a) Department Expense for independent actuarial review of previously disapproved rate/rule filing set for hearing at the request of the advisory organization (excluding Workers' Compensation which is not subject to a monetary cap. EXPENSE AS INCURRED BUT NOT TO EXCEED----------$1500
(b) Filing and review of loss cost filings per Advisory Organization (P, C, S, M)----------$ 250
(c) Filing and review of a policy/contract, endorsement or certificate, per item (P, C, S, M)----------$ 100
*Maximum fee of $500
(d) Rule Filings – Filing Minor Rate Component Modifications----------$ 50

SECTION 10. RISK RETENTION GROUPS.

(a) Initial Registration Fee----------$ 250
(b) Renewal Registration Fee (MARCH 1ST)----------$ 100
(c) Filing Annual Statement----------$ 50

SECTION 11. PURCHASING GROUPS.

(a) Initial Registration Fee----------$ 150
(b) Renewal Registration Fee (MARCH 1ST)----------$ 100

SECTION 12. AUTOMOBILE CLUBS OR ASSOCIATIONS.

(a) Filing Annual Financial Statement (APRIL 1ST)----------$ 100
(b) Form Filing, per club, per form----------$ 50

(c) Review of all documents necessary for and issuance of certificate of authorization----------$ 250

SECTION 13. THIRD PARTY ADMINISTRATORS.

All new applicants for registration as a third party administrator ("TPA"), and all previously registered TPA'S shall pay the following filing and processing fee for issuance/renewal of each certificate of registration, in addition to all other registration fees imposed by §§23-92-201, et seq., other fees addressed in this Rule, or fees imposed under other sections of Arkansas law. The fees imposed under this Section and any others as required shall accompany the TPA application for the initial registration, or renewal of registration due no later than December 15 annually. ----------$ 75

(Coupled with the $25 fee in Ark. Code Ann. §23-92-203 the total fee due is $100.)

SECTION 14. EMPLOYEE LEASING FIRMS.

(a) Initial or annual renewal of licensure of Employee Leasing Firms or Groups, each firm or group*----------$ 500

(b) Initial or annual renewal of licensure of Employee Leasing Firms or Groups without substantial presence in this State----------$ 50

* Either resident or nonresident firms or groups with "substantial presence" in this State as defined in Department Rule and Regulation 58.

SECTION 15. CONTINUING CARE FACILITIES AND LIFE CARE PROVIDERS.

(a) Filing Annual Disclosure Statement, each statement, per each facility/provider and/or appointing Commissioner as agent for service of process, each provider----------$ 100

(b) Filing and review of initial registration application, for each facility/provider----------$ 250

SECTION 16. REINSURANCE INTERMEDIARIES.

(a) Filing initial application for license as reinsurance intermediary-manager----------$ 500

(b) Filing initial application as reinsurance intermediary-broker----------$ 300

(c) Annual renewal fee for reinsurance intermediary-manager----------$ 100

(d) Annual renewal fee for reinsurance intermediary-broker----------$ 75

(e) Designation of Commissioner as Agent for service of process for non-resident manager or broker----------$ 75

SECTION 17. COURSE PROVIDERS FOR AGENT PRE-LICENSING AND CONTINUING EDUCATION: ANNUAL REGISTRATION AND FEES.

(a) Annual Registration. Pursuant to Ark. Code Ann. §§23-61-701 et seq., all approved course providers for agent pre-licensing and continuing education shall register on September 1st annually with the Department on forms prescribed by the Insurance Commissioner

(b) Fees.

(1) Pre-Licensing Education.

Each original registration and/or annual renewal of a

course provider for agent pre-licensing education----------$ 100

(2) Continuing Education.
Each original registration and/or annual renewal of a course provider for agent continuing education----------$ 100

SECTION 18. MANAGING GENERAL AGENTS/AGENCIES.
Filing application for initial licensure and annual renewal----------$ 500

SECTION 19. NOTARY BOND SURETY CORPORATIONS.
Initial and/or annual renewal of registration as Notary Bond Surety Corporation----------$ 50

SECTION 20. MISCELLANEOUS FEES.

(a) Department Compilations to Survey, Questionnaire, Report and Data Compilation Requests (excluding government agencies)----------$ 250
(b) Filing & processing of Security Deposit releases, various Licensees-----$ 75
(c) Filing substitute securities for Security Deposit releases, various Licensees----------$ 50
(d) Initial and annual registration on Department mailing list for receipt of bulletins, rules and regulations (excluding all licensees, registrants, permittees, and government agencies)----------$ 35
(e) Service of Process, 2 copies of each legal pleading or process, per insurer, other licensee, or other entity doing business in Arkansas under statutes requiring Commissioner's service duties, per transaction----------$ 25
(f) Monies collected for checks issued to the Department which are returned to payor for insufficient funds----------$ 20
(g) Security deposit confirmations, per confirmation----------$ 10
(h) Certificate for securities on deposit----------$ 10
(i) Certification of documents----------$ 5
(Coupled with the $5 fee in Ark. Code Ann. §23-61-401(14)(B) the total fee due is $10.)

SECTION 21. INFORMATION SYSTEMS SERVICES.

(a) Licensed Company Listings With Agent Appointments

	Paper	Disk/CD/E-Mail
1. Life & Disability Cos.	$240	$170
2. Property & Casualty Cos.	$240	$170
3. Single Company	$10	$5

(b) Licensed Company Listings Without Agent Appointments

	Paper/Disk/CD/E-Mail
1. All Companies	$50
-Foreigns	$45
-Domestics	$5
2. Life & Disability	$25
-Foreigns	$20
-Domestics	$5
3. Property & Casualty	$25
-Foreigns	$25

-Domestics	$5
4. Fraternal Benefit Societies	$5
5. Farmers Mutual Aid Assns.	$5
6. Title Insurers	$5
7. MET's & MEWA's	$5
8. Third Party Administrators	$5
9. Purchasing Groups	$5
10. Risk Retention Groups	$5
11. Surplus Lines Insurers	$5
12. Health Maintenance Orgs.	$5
13. Auto Clubs or Assns.	$5
14. Surety Insurers	$5
15. Notary Bond Surety Cos.	$5
16. Workers' Comp. Cos.	$5
17. Employee Leasing Cos.	$5
18. Acc./Trust. Reinsurers	$5
19. Viatical Providers	$5

(c) Licensed Agent Listings With Company Appointments

	Paper	Disk/CD/E-Mail
1. Life & Disability Agents	$240	$170
2. Property & Casualty Agents	$240	$170
3. Single Agent	$10	$5

(d) Licensed Agent Listings Without Company Appointments

	Paper	Disk/CD/E-Mail
1. All Agents	$80	$70
2. Life & Disability Agents	$30	$20
3. Life Agents	$15	$15
4. Disability Agents	$15	$15
5. Multi-line Agents	$30	$20
6. Brokers	$10	$10
7. Consultants	$5	$5
8. RRG Agents	$5	$5
9. Purchasing Group Brokers	$5	$5
10. Adjusters	$5	$5
11. Surplus Lines Brokers	$5	$5
12. Managing General Agents	$5	$5
13. Reinsurance Intermediaries	$5	$5
14. Viatical Brokers	$5	$5

(e) Licensed Agency Listings With Company Appointments

	Paper	Disk/CD/E-Mail
All Agencies	$240	$170

(f) Licensed Agency Listings Without Company Appointments

	Paper	Disk/CD/E-Mail
All Agencies	$75	$50

If partial lists of licensees or licensees of a limited line or category are requested, the Commissioner may charge a reasonable fee less than the foregoing amounts.

*Large reports will only be done on CDs.
*Reports on labels will be $4 extra per 1,000.

SECTION 22. TRUST FUND DEPOSIT REQUIRED.

All fees imposed pursuant to this Rule and Regulation SHALL BE DUE AND PAYABLE TO THE "STATE INSURANCE DEPARTMENT TRUST FUND". Fees paid pursuant to this Rule shall whenever possible, be directed to the specific Division of the Department handling the filing, or as otherwise directed by the Department.

All of the fees required by this Rule shall be payable by COMPANY, AGENT OR AGENCY CHECKS, PERSONAL, CERTIFIED OR CASHIER'S CHECKS, CASH OR MONEY ORDERS. As noted above, where both current Code and this Rule require a fee as to the same product, filing or service, both may be combined in one payment payable to "THE STATE INSURANCE DEPARTMENT TRUST FUND".

SECTION 23. CUMULATIVE/NONREFUNDABLE FEES

All fees and penalties imposed under this Rule are cumulative and in addition to any other licensure, exam, appointment, or registration fee, tax, premium tax, assessment, fine or penalty required by the provisions of any other Arkansas Code or Rule Section. To that extent, the provisions of this Rule are not designed to or intended to affect, interfere with or otherwise supersede other fee or penalty collections and deposits pursuant to other Arkansas Law or Rule Provisions.

SECTION 24. SCRIVENERS' ERRORS.

The Commissioner may, in his discretion, waive any fee set forth in this Rule and Regulation for the filing of any document or thing, if he determines that such filing is, in fact, a re-filing made solely to correct scriveners' or other errors. In such event, nonetheless, the Commissioner may charge a reasonable "processing fee" which shall not exceed $50.

SECTION 25. PENALTIES.

(a) GENERAL. Upon failure of the applicant, licensee, registrant, permittee, or other person to pay the fees required by this Rule and Regulation or to pay them timely when due, absent an extension granted by the Commissioner, the Commissioner may after notice and a hearing and in his reasonable discretion, deny the license, registration or permit or Certificate of Authority requested (or renewal license, registration, permit or Certificate of Authority requested) in his order, or may order suspension or revocation of the delinquent person's license, permit, registration or Certificate of Authority. If the Commissioner orders a suspension, it shall continue until all fees and penalties are remitted to "The State Insurance Department Trust Fund", up to a full twelve (12) months, at which time the Commissioner may in his discretion order continuation of the suspension for an additional twelve (12) months, or may order revocation or cancellation of the license, registration, permit, or Certificate of Authority for violations of his Order and this Rule and Regulation. All such licensees, registrants and permittees upon written request shall have the right to and shall be granted a hearing before the Commissioner or his designee, pursuant to Ark. Code Ann. §23-61-303(b), unless voluntarily waived.

(b) INSURERS. Absent the Commissioner's approval of a time extension for good cause shown on or before the due date, all licensed insurers failing timely to report and/or pay the fees when due may be subject to an automatic penalty of One Hundred Dollars ($100) a day for each day of delinquency, payable to "The State Insurance Department Trust Fund".

(c) CIVIL OR ADMINISTRATIVE ACTION. The Commissioner on behalf of "The State Insurance Department Trust Fund" may pursue any civil cause of action for collection of the fees and penalties due under this Rule, or may pursue any claims against a security deposit as the Commissioner is entitled to make, or may reject or refuse to accept or disapprove any companion filing or license request, or may pursue any combination of these remedies as appropriate. In the event the Commissioner pursues a civil cause of action on behalf of "The State Insurance Department Trust Fund", he shall be entitled to request and recover all costs of collection, including reasonable attorney fees and expenses, if and as incurred.

(d) DOCTRINE OF ELECTION OF REMEDIES. The doctrine of election of remedies shall not be imposed against the Commissioner; i.e. he is entitled to seek all appropriate administrative and judicial remedies in protection of "The State Insurance Department Trust Fund" and the public interest.

SECTION 26. SEVERABILITY.

If any provision of this Rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Rule which can be given effect without the invalid provisions or application, and to this end, the provisions of this Rule are declared to be severable.

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ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS

_____
DATE