

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 418 be amended to read as follows:

- 1 Page 1, delete lines 14 through 17, begin a new paragraph and
- 2 insert:
- 3 **"(b) The commissioner may increase the ten percent (10%)**
- 4 **limitation in subsection (a)(1) to an amount not to exceed twenty**
- 5 **percent (20%) of the capital and surplus of the insurer as reported**
- 6 **in its latest annual statement filed with the commissioner if:**
- 7 **(1) the assets of the insurer include good will, trade names,**
- 8 **and other like intangible assets that are attributable to the**
- 9 **acquisition after December 31, 1998, of an insurance company**
- 10 **or health maintenance organization authorized to do business**
- 11 **under the laws of any state; and**
- 12 **(2) as of the date of the initial request for an increase in the**
- 13 **ten percent (10%) limitation in subsection (a)(1) the total**
- 14 **adjusted capital of the insurer is at least four hundred percent**
- 15 **(400%) of the authorized control level risk based capital of**
- 16 **the insurer as reported in the latest annual report filed with**
- 17 **the commissioner.**
- 18 **(c) The commissioner may retain experts to assist with a request**

- 19 **made under subsection (b). The insurer shall pay all costs for the**
- 20 **experts."**
- 21 Page 2, delete lines 1 through 2.

(Reference is to SB 418 as printed January 25, 2000.)

Senator CLARK