

REFERENCE TITLE: auto theft authority; fee overpayment

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2609

Introduced by
Representative Livingston

AN ACT

AMENDING SECTION 41-3453, ARIZONA REVISED STATUTES; RELATING TO THE
AUTOMOBILE THEFT AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-3453, Arizona Revised Statutes, is amended to
3 read:

4 41-3453. Failure to pay fee; overpayment; credit; definitions

5 A. The automobile theft authority shall notify the director of an
6 insurer's failure to pay the fee prescribed by section 41-3451,
7 subsection J. On receiving notice of an insurer's failure to pay the fee,
8 the director may suspend the insurer's certificate of authority or impose
9 a civil penalty of not more than one hundred twenty percent of the amount
10 due, or both. The insurer shall pay the civil penalty to the director.
11 The director shall deposit, pursuant to sections 35-146 and 35-147, the
12 civil penalty in the automobile theft authority fund.

13 B. AN INSURER THAT HAS OVERPAID THE FEE PRESCRIBED BY SECTION
14 41-3451 IS ENTITLED TO A REFUND OF THE OVERPAID AMOUNT OR MAY HAVE THE
15 OVERPAID AMOUNT APPLIED AS A CREDIT AGAINST FUTURE AUTOMOBILE THEFT
16 AUTHORITY FEES. THE INSURER SHALL SUBMIT A REQUEST FOR A REFUND OR CREDIT
17 TO THE AUTOMOBILE THEFT AUTHORITY AND INCLUDE DOCUMENTATION OR INFORMATION
18 SUBSTANTIATING THE OVERPAID AMOUNT.

19 ~~B.~~ C. For the purposes of this section:

20 1. "Director" means the director of the department of insurance and
21 financial institutions.

22 2. "Insurer" means an insurer that writes motor vehicle insurance
23 in this state, including reciprocal insurers, mutual companies, mutual
24 associations and Lloyd's plans.