

**523A.812 Insurance division regulatory fund.**

The insurance division may authorize the creation of a special revenue fund in the state treasury, to be known as the insurance division regulatory fund. The commissioner shall allocate annually from the fees paid pursuant to [section 523A.204](#), two dollars for each purchase agreement reported on a preneed seller's annual report filed pursuant to [section 523A.204](#) for deposit to the regulatory fund. The remainder of the fees collected pursuant to [section 523A.204](#) shall be deposited as provided in [section 505.7](#). The commissioner shall also allocate annually the examination fees paid pursuant to [section 523A.814](#) and any examination expense reimbursement for deposit to the regulatory fund. The moneys in the regulatory fund shall be retained in the fund. The moneys are appropriated and, subject to authorization by the commissioner, may be used to pay examiners, examination expenses, investigative expenses, the expenses of mediation ordered by the commissioner, consumer education expenses, the expenses of a toll-free telephone line to receive consumer complaints, and the expenses of receiverships established under [section 523A.811](#). If the commissioner determines that funding is not otherwise available to reimburse the expenses of a person who receives title to a cemetery subject to [chapter 523I](#), pursuant to such a receivership, the commissioner shall use moneys in the regulatory fund as necessary to preserve, protect, restore, and maintain the physical integrity of that cemetery and to satisfy claims or demands for cemetery merchandise, funeral merchandise, and funeral services based on purchase agreements which the commissioner determines are just and outstanding. An annual allocation to the regulatory fund shall not be imposed if the current balance of the fund exceeds five hundred thousand dollars.

2001 Acts, ch 118, §52; 2005 Acts, ch 128, §4; 2007 Acts, ch 175, §32; 2009 Acts, ch 181, §97

For future repeal of 2009 amendment to this section, effective July 1, 2011, see 2009 Acts, ch 179, §146