

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 3077

By: Gilbert

AS INTRODUCED

An Act relating to insurance; amending 36 O.S. 2001, Section 3639.1, which relates to homeowner's insurance policy; clarifying language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 36 O.S. 2001, Section 3639.1, is amended to read as follows:

Section 3639.1 No insurer shall cancel, refuse to renew or increase the premium of a homeowner's insurance policy, which has been in effect more than forty-five (45) days, solely because the insured filed a first claim against the policy. The provisions of this section shall not be construed to prevent the cancellation, nonrenewal or increase in premium of a homeowner's insurance policy for the following reasons:

1. Nonpayment of premium;
2. Discovery of fraud or material misrepresentation in the procurement of the insurance or with respect to any claims submitted thereunder;
3. Discovery of willful or reckless acts or omissions on the part of the named insured which increase any hazard insured against;
4. A change in the risk which substantially increases any hazard insured against after insurance coverage has been issued or renewed;
5. Violation of any local fire, health, safety, building, or construction regulation or ordinance with respect to any insured

property or the occupancy thereof which substantially increases any hazard insured against;

6. A determination by the Insurance Commissioner that the continuation of the policy would place the insurer in violation of the insurance laws of this state; or

7. Conviction of the named insured of a crime having as one of its necessary elements an act increasing any hazard insured against.

SECTION 2. This act shall become effective November 1, 2006.

50-2-7893          SD          01/19/06