

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1068

By: Laster

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5
6 AS INTRODUCED

7 An Act relating to insurance; amending 36 O.S.
8 1250.3, which relates to the Unfair Claims Settlement
9 Practices Act; authorizing Commissioner to file
10 certain suit; and providing an effective date.

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

13 SECTION 1. AMENDATORY 36 O.S. 2001, Section 1250.3, is
14 amended to read as follows:

15 Section 1250.3 A. The provisions of the Unfair Claims
16 Settlement Practices Act shall apply to all claims arising under an
17 insurance policy or insurance contract issued by any insurer.

18 B. It is an unfair claim settlement practice for any insurer to
19 commit any act set out in Section 1250.5 of this title, or to commit
20 a violation of any other provision of the Unfair Claims Settlement
21 Practices Act, if:

22 1. It is committed flagrantly and in conscious disregard of
23 this act or any rules promulgated hereunder; or
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1 2. It has been committed with such frequency as to indicate a
2 general business practice to engage in that type of conduct.

3 C. The Insurance Commissioner shall be authorized to file suit,
4 or to coordinate with the Attorney General to file suit, on behalf
5 of a citizen in a direct action against an insurance company to
6 recover damages caused by a violation of any provision of the Unfair
7 Claims Settlement Practices.

8 SECTION 2. This act shall become effective November 1, 2009.

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