

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 HOUSE BILL 1243

By: McDaniel (Randy) of the
House

6 and

7 Brown of the Senate

8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to licenses issued by the Insurance
12 Department; stating legislative intent; amending 36
13 O.S. 2001, Sections 1435.6, as last amended by
14 Section 24, Chapter 176, O.S.L. 2009, 1435.7, as last
15 amended by Section 25, Chapter 176, O.S.L. 2009,
16 1435.8, as last amended by Section 26, Chapter 176,
17 O.S.L. 2009, 1435.23, as last amended by Section 12,
18 Chapter 432, O.S.L. 2009 and 1435.29, as last amended
19 by Section 13, Chapter 432, O.S.L. 2009 (36 O.S.
20 Supp. 2010, Sections 1435.6, 1435.7, 1435.8, 1435.23
21 and 1435.29), which relate to the Oklahoma Producer
22 Licensing Act; modifying reexamination requirements;
23 modifying insurance producer license application
24 requirements; modifying certain license reinstatement
requirements; removing certain provisional license
fee; modifying educational requirements; amending 36
O.S. 2001, Sections 6208, as last amended by Section
44, Chapter 176, O.S.L. 2009, 6209, as amended by
Section 45, Chapter 176, O.S.L. 2009, 6210, as last
amended by Section 46, Chapter 176, O.S.L. 2009 and
6217, as last amended by Section 2, Chapter 355,
O.S.L. 2010 (36 O.S. Supp. 2010, Sections 6208, 6209,
6210 and 6217), which relate to the Insurance
Adjusters Licensing Act; modifying certain exemption
from adjuster examination requirements; modifying
classes of business covered by insurance adjuster
licenses; modifying reexamination requirements;

1 modifying certain continuing education requirements;
2 amending 59 O.S. 2001, Sections 1304, 1305, as last
3 amended by Section 55, Chapter 222, O.S.L. 2010,
4 1308, 1308.1, 1309, 1314, as last amended by Section
5 58, Chapter 222, O.S.L. 2010 and 1320 (59 O.S. Supp.
6 2010, Sections 1305 and 1314), which relate to bail
7 bondsmen; making licenses of bail bondsmen expire
8 biennially; specifying expiration date of biennial
9 licenses; requiring applications for a bail bondsman
10 license to be submitted electronically; modifying
11 certain bail bondsman examination requirements;
12 modifying certain fees and certain continuing
13 education requirements to reflect change from annual
14 to biennial license; prohibiting certain actions by
15 certain bail bondsmen; requiring certain fee to be
16 prorated; allowing license to be reinstated under
17 certain conditions; requiring licensed bondsman to
18 file certain reports electronically; prohibiting
19 certain actions by certain bail bondsmen; requiring
20 certain reports to be submitted electronically;
21 eliminating reporting by mail; eliminating limit on
22 number of bonds that may be written under certain
23 conditions; repealing Section 11, Chapter 125, O.S.L.
24 2007 (36 O.S. Supp. 2010, Section 1435.7A), which
relates to resident provisional insurance producer
licenses; providing for noncodification; providing
for codification; providing effective dates; and
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

The Oklahoma Legislature recognizes that the Insurance
Department of the State of Oklahoma is charged with regulating a
variety of entities. Each of these entities is a part of the
financial services industry in some way. It is the intent of this

1 bill to modify the law as it relates to entities regulated by the
2 Insurance Department.

3 SECTION 2. AMENDATORY 36 O.S. 2001, Section 1435.6, as
4 last amended by Section 24, Chapter 176, O.S.L. 2009 (36 O.S. Supp.
5 2010, Section 1435.6), is amended to read as follows:

6 Section 1435.6 A. A resident individual applying for an
7 insurance producer license shall pass a written examination unless
8 exempt pursuant to Section 1435.10 of this title. The examination
9 shall test the knowledge of the individual concerning the lines of
10 authority for which application is made, the duties and
11 responsibilities of an insurance producer and the insurance laws and
12 regulations of this state. Examinations required by this section
13 shall be developed and conducted under rules and regulations
14 prescribed by the Insurance Commissioner.

15 B. The Commissioner may make arrangements, including
16 contracting with an outside testing service, for administering
17 examinations and collecting the nonrefundable fee set forth in
18 Section 1435.23 of this title.

19 C. Each individual applying for an examination shall remit a
20 nonrefundable fee as prescribed by the Insurance Commissioner as set
21 forth in Section 1435.23 of this title.

22 D. After completion and filing of the application with the
23 Insurance Commissioner, except as provided in Section 1435.10 of
24 this title, the Commissioner shall subject each applicant for

1 license as an insurance agent, insurance consultant, limited
2 insurance representative, or customer service representative to an
3 examination approved by the Commissioner as to competence to act as
4 a licensee, which each applicant shall personally take and pass to
5 the satisfaction of the Commissioner. The Commissioner may accept
6 examinations administered by a testing service as satisfying the
7 examination requirements of persons seeking license as agents,
8 solicitors, counselors, or adjusters under the Oklahoma Insurance
9 Code. The Commissioner may negotiate agreements with such testing
10 services to include performance of examination development, test
11 scheduling, examination site arrangements, test administration,
12 grading, reporting, and analysis. The Commissioner may require such
13 testing services to correspond directly with the applicants with
14 regard to the administration of such examinations and that such
15 testing services collect fees for administering such examinations
16 directly from the applicants. The Commissioner may stipulate that
17 any agreements with such testing services provide for the
18 administration of examinations in specific locales and at specified
19 frequencies. The Commissioner shall retain the authority to
20 establish the scope and type of all examinations.

21 E. If the applicant is a legal entity, the examination shall be
22 taken by each individual who is to act for the entity as a licensee.

23 F. Each examination for a license shall be approved for use by
24 the Commissioner and shall reasonably test the knowledge of the

1 applicant as to the lines of insurance, policies, and transactions
2 to be handled pursuant to the license applied for, the duties and
3 responsibilities of the licensee, and the pertinent insurance laws
4 of this state.

5 G. Examination for licensing shall be at such reasonable times
6 and places as are designated by the Commissioner.

7 H. The Commissioner or testing service shall give, conduct, and
8 grade all examinations in a fair and impartial manner and without
9 discrimination among individuals examined.

10 I. The applicant shall pass the examination with a grade
11 determined by the Commissioner to indicate satisfactory knowledge
12 and understanding of the line or lines of insurance for which the
13 applicant seeks qualification. Within ten (10) days after the
14 examination, the Commissioner shall inform the applicant and the
15 appointing insurer, when applicable, as to whether or not the
16 applicant has passed. Formal evidence of licensing shall be issued
17 by the Commissioner to the licensee within a reasonable time.

18 J. An applicant who has failed to pass the first examination
19 for the license applied for may take a second examination within
20 thirty (30) days following the first examination. Examination fees
21 for subsequent examinations shall not be waived.

22 K. An applicant who has failed to pass the first two
23 examinations for the license applied for shall not be permitted to
24 take a subsequent examination until the expiration of thirty (30)

1 days after the last previous examination. ~~An applicant shall take~~
2 ~~and pass the examination within one hundred eighty (180) days of the~~
3 ~~date of the initial application. If applicant fails to pass the~~
4 ~~examination within the specified time period, the applicant shall~~
5 ~~submit a new application accompanied by any applicable fees.~~

6 Examination fees for subsequent examinations shall not be waived.

7 L. An applicant for a license as a resident surplus lines
8 broker shall have passed the property and casualty insurance
9 examination on the line or lines of insurance to be written to
10 qualify for a surplus lines broker license.

11 SECTION 3. AMENDATORY 36 O.S. 2001, Section 1435.7, as
12 last amended by Section 25, Chapter 176, O.S.L. 2009 (36 O.S. Supp.
13 2010, Section 1435.7), is amended to read as follows:

14 Section 1435.7 A. A person applying for a resident insurance
15 producer license shall make application to the Insurance
16 Commissioner on the Uniform Application or an application approved
17 by the Commissioner and declare under penalty of refusal, suspension
18 or revocation of the license that the statements made in the
19 application are true, correct and complete to the best of the
20 individual's knowledge and belief. Before approving the
21 application, the Insurance Commissioner shall find that the
22 individual:

23 1. Is at least eighteen (18) years of age;

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1 2. Has not committed any act that is a ground for denial,
2 suspension or revocation set forth in Section 1435.13 of this title;

3 3. ~~Has held a provisional insurance producer license or has~~
4 ~~been a participant in an approved training program offered by an~~
5 ~~insurance company licensed in this state except for title, aircraft~~
6 ~~title, or any other producer applicant exempt by rule;~~

7 4. Has paid the fees set forth in Section 1435.23 of this
8 title; and

9 ~~5.~~ 4. Has successfully passed the examinations for the lines of
10 authority for which the person has applied.

11 B. A business entity acting as an insurance producer is
12 required to obtain an insurance producer license. Application shall
13 be made using the Uniform Business Entity Application or an
14 application approved by the Commissioner. Before approving the
15 application, the Insurance Commissioner shall find that:

16 1. The business entity has paid the fees set forth in Section
17 1435.23 of this title;

18 2. The business entity has designated a licensed producer
19 responsible for the business entity's compliance with the insurance
20 laws, rules and regulations of this state;

21 3. A domestic business entity is organized pursuant to the
22 provisions of the laws of this state and maintains its principal
23 place of business in this state; and

1 4. No person whose license as an insurance producer has been
2 revoked by order of the Commissioner, nor any business entity in
3 which such person has a majority ownership interest, whether direct
4 or indirect, owns any interest in the business entity licensed as an
5 insurance producer.

6 C. An applicant for any license required by the provisions of
7 the Oklahoma Producer Licensing Act shall demonstrate to the
8 Insurance Commissioner that the applicant is competent, trustworthy,
9 financially responsible, and of good personal and business
10 reputation.

11 D. The Insurance Commissioner may require any documents
12 reasonably necessary to verify the information contained in an
13 application.

14 SECTION 4. AMENDATORY 36 O.S. 2001, Section 1435.8, as
15 last amended by Section 26, Chapter 176, O.S.L. 2009 (36 O.S. Supp.
16 2010, Section 1435.8), is amended to read as follows:

17 Section 1435.8 A. Unless denied licensure pursuant to Section
18 1435.13 of this title, persons who have met the requirements of
19 Sections 1435.6 and 1435.7 of this title shall be issued an
20 insurance producer license. An insurance producer may receive
21 qualification for a license in one or more of the following lines of
22 authority:

23 1. Life - insurance coverage on human lives including benefits
24 of endowment and annuities, and may include benefits in the event of

1 death or dismemberment by accident and benefits for disability
2 income;

3 2. Accident and health or sickness - insurance coverage for
4 sickness, bodily injury or accidental death and may include benefits
5 for disability income;

6 3. Property - insurance coverage for the direct or
7 consequential loss or damage to property of every kind;

8 4. Casualty - insurance coverage against legal liability,
9 including that for death, injury or disability or damage to real or
10 personal property;

11 5. Variable life and variable annuity products - insurance
12 coverage provided under variable life insurance contracts and
13 variable annuities;

14 6. Personal lines - property and casualty insurance coverage
15 sold to individuals and families for primarily noncommercial
16 purposes;

17 7. Commercial lines - property and casualty insurance coverage
18 sold to businesses for primarily commercial purposes;

19 8. Credit - limited line credit insurance;

20 9. Title insurance - insurance coverage that insures or
21 guarantees the title to real or personal property or any interest
22 therein or encumbrance thereon;

23 10. Aircraft title insurance - insurance coverage that protects
24 an aircraft owner or lender against loss of the aircraft or priority

1 security position in the event of a successful adverse claim on the
2 title to an aircraft; and

3 11. Any other line of insurance permitted under state laws or
4 regulations.

5 B. An insurance producer license shall remain in effect unless
6 revoked or suspended as long as the fee set forth in Section 1435.23
7 of this title is paid and education requirements for resident
8 individual producers are met by the due date.

9 C. An individual insurance producer who allows the license to
10 lapse may, within ~~twenty four (24)~~ twelve (12) months from the due
11 date of the renewal fee, reinstate the same license without the
12 necessity of passing a written examination unless the license was
13 revoked, suspended, or continuation thereof was refused by the
14 Commissioner. However, a penalty in the amount of double the unpaid
15 renewal fee shall be required for any renewal fee received after the
16 due date. Continuing education requirements must be kept current.

17 D. A licensed insurance producer who is unable to comply with
18 license renewal procedures due to military service or some other
19 extenuating circumstance, such as a long-term medical disability,
20 may request a waiver of those procedures. The producer may also
21 request a waiver of any examination requirement or any other fine or
22 sanction imposed for failure to comply with renewal procedures.

23 E. The license shall contain the licensee's name, address,
24 personal identification number, and the date of issuance, the lines

1 of authority, the expiration date and any other information the
2 Insurance Commissioner deems necessary.

3 F. Licensees shall inform ~~the Insurance Commissioner~~ by any
4 means acceptable to the Insurance Commissioner of a change of legal
5 name ~~or~~, address, or email address within thirty (30) days of the
6 change to permit the Insurance Commissioner to give proper notice to
7 licensees. A change in legal name or address submitted more than
8 thirty (30) days after the change must include an administrative fee
9 of Fifty Dollars (\$50.00). Failure to provide acceptable
10 notification of a change of legal name or address to the Insurance
11 Commissioner within forty-five (45) days of the date the
12 administrative fee is assessed ~~will~~ shall result in penalties
13 pursuant to Section 1435.13 of this title.

14 G. In order to assist in the performance of the Insurance
15 Commissioner's duties, the Insurance Commissioner may contract with
16 nongovernmental entities, including the National Association of
17 Insurance Commissioners (NAIC) or any affiliates or subsidiaries
18 that the NAIC oversees, to perform any ministerial functions,
19 including the collection of fees, related to producer licensing that
20 the Insurance Commissioner and the nongovernmental entity may deem
21 appropriate.

22 H. The Commissioner may participate, in whole or in part, with
23 the National Association of Insurance Commissioners, or any
24 affiliates or subsidiaries the National Association of Insurance

1 Commissioners oversees, in a centralized producer license registry
2 where insurance producer licenses and appointments may be centrally
3 or simultaneously effected for all states that require an insurance
4 producer license and participate in such centralized producer
5 license registry. If the Commissioner finds that participation in
6 such a centralized producer license registry is in the public
7 interest, the Commissioner may adopt by rule any uniform standards
8 or procedures as are necessary to participate in the registry. This
9 includes the central collection of all fees for licenses or
10 appointments that are processed through the registry.

11 SECTION 5. AMENDATORY 36 O.S. 2001, Section 1435.23, as
12 last amended by Section 12, Chapter 432, O.S.L. 2009 (36 O.S. Supp.
13 2010, Section 1435.23), is amended to read as follows:

14 Section 1435.23 A. All applications shall be accompanied by
15 the applicable fees. An appointment may be deemed by the
16 Commissioner to have terminated upon failure by the insurer to pay
17 the prescribed renewal fee. The Commissioner may also by order
18 impose a civil penalty equal to double the amount of the unpaid
19 renewal fee.

20 The Insurance Commissioner shall collect in advance the
21 following fees and licenses:

- 22 1. For filing appointment of Insurance
23 Commissioner as agent for service of process..... \$ 20.00
- 24 2. Miscellaneous:

- 1 a. Certificate and Clearance of
 2 Commissioner..... \$ 3.00
- 3 b. Insurance producer's study manual:
 4 Life, Accident & Health..... not to exceed
 5 \$ 40.00
 6 Property and Casualty..... not to exceed
 7 \$ 40.00
- 8 c. For filing organizational documents of
 9 an entity applying for a license as an
 10 insurance producer..... \$ 20.00
- 11 3. Examination for license:
 12 For each examination covering laws
 13 and one or more lines of insurance.... not to exceed
 14 \$100.00
- 15 4. Licenses:
 16 a. Insurance producer's biennial license,
 17 regardless of number of companies
 18 represented..... \$ 60.00
- 19 b. Insurance producer's biennial license
 20 for sale or solicitation of separate
 21 accounts or agreements, as provided for
 22 in Section 6061 of this title..... \$ 60.00
- 23 c. Limited lines producer biennial license..... \$ 40.00
- 24 d. Temporary license as agent..... \$ 20.00

- 1 e. Managing general agent's biennial
- 2 license..... \$ 60.00
- 3 f. Surplus lines broker's biennial license..... \$100.00
- 4 g. Insurance vending machine, each machine,
- 5 biennial fee..... \$100.00
- 6 h. Insurance consultant's biennial license,
- 7 resident or nonresident..... \$100.00
- 8 i. Customer service representative biennial
- 9 license..... \$ 40.00
- 10 ~~j. Insurance producer's provisional license..... \$ 20.00~~

11 5. Biennial fee for each appointed insurance
 12 producer, managing general agent, or limited
 13 lines producer by insurer, each license of
 14 each insurance producer or representative \$55.00

15 6. Renewal fee for all licenses shall be the same as the
 16 current initial license fee.

17 7. The fee for a duplicate license shall be one-half (1/2) the
 18 fee of an original license.

19 8. The renewal of a license shall require a fee of double the
 20 current original license fee if the application for renewal is late,
 21 or incomplete on the renewal deadline.

22 9. The administrative fee for submission of a change of legal
 23 name or address more than thirty (30) days after the change occurred
 24 shall be Fifty Dollars (\$50.00).

1 B. If for any reason an insurance producer license or
2 appointment is not issued or renewed by the Commissioner, all fees
3 accompanying the appointment or application for the license shall be
4 deemed earned and shall not be refundable except as provided in
5 Section 352 of this title.

6 C. The Insurance Commissioner, by order, may waive licensing
7 fees in extraordinary circumstances for a class of producers where
8 the Commissioner deems that the public interest will be best served.

9 SECTION 6. AMENDATORY 36 O.S. 2001, Section 1435.29, as
10 last amended by Section 13, Chapter 432, O.S.L. 2009 (36 O.S. Supp.
11 2010, Section 1435.29), is amended to read as follows:

12 Section 1435.29 A. 1. Each insurance producer, with the
13 exception of title producers and aircraft title producers or any
14 other producer exempt by rule, shall, biennially, complete not less
15 than twenty-one (21) clock hours of continuing insurance education
16 ~~which shall cover subjects in the lines for which the insurance~~
17 ~~producer is licensed.~~ Such education may include a written or oral
18 examination.

19 2. Each customer service representative shall, biennially,
20 complete not less than ten (10) clock hours of continuing insurance
21 education ~~which shall cover subjects in the lines for which the~~
22 ~~licensee is authorized to conduct insurance related business on~~
23 ~~behalf of the appointing agent, broker, or agency.~~

24

1 3. Licensees, with the exception of title producers and
2 aircraft title producers or any other producer exempt by rule, shall
3 complete, in addition to the foregoing, three (3) clock hours of
4 ethics course work in this same period.

5 4. Each title producer and aircraft title producer shall,
6 biennially, complete not less than sixteen (16) clock hours of
7 continuing insurance education, two (2) hours of which shall be
8 ethics course work, which shall cover the line for which the
9 producer is licensed. Such education may include a written or oral
10 examination.

11 B. 1. The Insurance Commissioner shall approve courses and
12 providers of ~~resident provisional producer prelicensing education~~
13 ~~and~~ continuing education. The Insurance Department may use one or
14 more of the following to review and provide a nonbinding
15 recommendation to the Insurance Commissioner on approval or
16 disapproval of courses and providers of ~~resident provisional~~
17 ~~producer prelicensing education and~~ continuing education:

- 18 a. employees of the Insurance Commissioner,
- 19 b. a continuing education advisory committee, or
- 20 c. an independent service whose normal business
21 activities include the review and approval of
22 continuing education courses and providers. The
23 Commissioner may negotiate agreements with such
24 independent service to review documents and other

1 materials submitted for approval of courses and
2 providers and provide the Commissioner with its
3 nonbinding recommendation. The Commissioner may
4 require such independent service to collect the fee
5 charged by the independent service for reviewing
6 materials provided for review directly from the course
7 providers.

8 The Insurance Commissioner has sole authority to approve courses
9 and providers of ~~resident provisional producer prelicensing~~
10 ~~education and~~ continuing education. If the Insurance Commissioner
11 uses one of the entities listed above to provide a nonbinding
12 recommendation, the Commissioner shall adopt or decline to adopt the
13 recommendation within thirty (30) days of receipt of the
14 recommendation. In the event the Insurance Commissioner takes no
15 action within said thirty-day period, the recommendation made to the
16 Commissioner will be deemed to have been adopted by the
17 Commissioner.

18 The Insurance Commissioner may certify providers and courses
19 offered for license examination study. The Insurance Department
20 shall use employees of the Insurance Commissioner to review and
21 certify license examination study program providers and courses.

22 2. Each insurance company shall be allowed to provide
23 continuing education to insurance producers and customer service
24 representatives as required by this section; provided that such

1 continuing education meets the general standards for education
2 otherwise established by the Insurance Commissioner.

3 3. An insurance producer who, during the time period prior to
4 renewal, participates in an approved professional designation
5 program shall be deemed to have met the biennial requirement for
6 continuing education.

7 Each course in the curriculum for the program shall total a
8 minimum of twenty-four (24) hours. Each approved professional
9 designation program included in this section shall be reviewed for
10 quality and compliance every three (3) years in accordance with
11 standardized criteria promulgated by rule. Continuation of approved
12 status is contingent upon the findings of the review. The list of
13 professional designation programs approved under this paragraph
14 shall be made available to producers and providers annually.

15 4. The Insurance Department may promulgate rules providing that
16 courses or programs offered by professional associations shall
17 qualify for presumptive continuing education credit approval. The
18 rules shall include standardized criteria for reviewing the
19 professional associations' mission, membership, and other relevant
20 information, and shall provide a procedure for the Department to
21 disallow all or part of a presumptively approved course.
22 Professional association courses approved in accordance with this
23 paragraph shall be reviewed every three (3) years to determine
24 whether they continue to qualify for continuing education credit.

1 5. Subject to approval by the Commissioner, the active
2 membership of the licensed producer or broker in local, regional,
3 state, or national professional insurance organizations or
4 associations may be approved for up to one (1) annual hour of
5 instruction. The hour shall be credited upon timely filing with the
6 Commissioner, or designee of the Commissioner, and appropriate
7 written evidence acceptable to the Commissioner of such active
8 membership in the organization or association.

9 6. The active service of a licensed producer as a member of a
10 continuing education advisory committee, as described in paragraph 1
11 of this subsection, shall be deemed to qualify for continuing
12 education credit on an hour-for-hour basis.

13 C. Annual fees and course submission fees shall be set forth as
14 a rule by the Commissioner. The fees are payable to the Insurance
15 Commissioner. Provided, public-funded educational institutions,
16 federal agencies, nonprofit organizations, not-for-profit
17 organizations, and Oklahoma state agencies shall be exempt from this
18 subsection.

19 D. Failure of an insurance producer or customer service
20 representative to comply with the requirements of the Oklahoma
21 Producer Licensing Act may, after notice and opportunity for
22 hearing, result in censure, suspension, nonrenewal of license or a
23 civil penalty of up to Five Hundred Dollars (\$500.00) or by both
24

1 such penalty and civil penalty. Said civil penalty may be enforced
2 in the same manner in which civil judgments may be enforced.

3 E. Limited lines producers and nonresident agents who have
4 successfully completed an equivalent or greater requirement shall be
5 exempt from the provisions of this section.

6 F. Members of the Legislature shall be exempt from this
7 section.

8 G. The Commissioner shall adopt and promulgate such rules as
9 are necessary for effective administration of this section.

10 SECTION 7. AMENDATORY 36 O.S. 2001, Section 6208, as
11 last amended by Section 44, Chapter 176, O.S.L. 2009 (36 O.S. Supp.
12 2010, Section 6208), is amended to read as follows:

13 Section 6208. A. Each applicant for a license as an adjuster
14 shall, prior to issuance of said license, personally take and pass,
15 to the satisfaction of the Commissioner, an examination approved by
16 the Commissioner as a test of the qualifications and competency of
17 the applicant.

18 B. The requirement of an examination shall not apply to the
19 following:

20 1. An applicant who is licensed as an adjuster in this state
21 during the ninety-day period preceding November 1, 1983; or

22 2. A nonresident applicant who has passed an examination in the
23 home state of the applicant and who is currently licensed and in
24 good standing in the applicant's home state; or

1 3. Any applicant for a license covering the same class or
2 classes of insurance for which the applicant was licensed in this
3 state pursuant to a similar license during the ~~twenty-four month~~
4 twelve-month period immediately preceding the date of application,
5 unless said previous license was revoked or suspended, or
6 continuation of the license was refused by the Commissioner; or

7 4. An applicant for a resident license who has passed an
8 examination in the former home state and who is licensed and in good
9 standing in the former home state at the time the application is
10 submitted. The applicant shall make application to become a
11 resident adjuster within ninety (90) days after establishing legal
12 residence in Oklahoma.

13 SECTION 8. AMENDATORY 36 O.S. 2001, Section 6209, as
14 amended by Section 45, Chapter 176, O.S.L. 2009 (36 O.S. Supp. 2010,
15 Section 6209), is amended to read as follows:

16 Section 6209. A. Each examination for a license as an adjuster
17 shall be prescribed by the Commissioner and shall be of sufficient
18 scope to reasonably test the knowledge of the applicant as to the
19 kinds of insurance contracts which may be dealt with in accordance
20 with the license applied for, the duties and responsibilities of
21 insurers pursuant to said contracts and pursuant to the laws of this
22 state applicable to the adjusting claims of losses in accordance
23 with the license applied for.

1 B. An applicant for a license as an adjuster may qualify in any
2 one of the following classes of insurance or combinations thereof,
3 and the license when issued may be limited to cover adjusting in any
4 one of the following classes of insurance or combinations thereof.
5 The application for a license shall specify which of the following
6 classes of business the application and license are to cover:

7 1. ~~motor vehicle physical damage, meaning~~ Property, including
8 but not limited to marine, inland marine, aircraft and damages to
9 all land motor vehicles and trailers whether or not covered by first
10 party physical damage coverages or property damage liability
11 coverages; or

12 2. ~~fire and allied lines, including marine, inland marine, and~~
13 ~~aircraft; or~~

14 3. ~~casualty~~ Casualty, meaning all lines of liability insurance
15 coverages for bodily injuries, personal injury, and property
16 damages; or

17 4. ~~workers'~~ 3. Workers' compensation; or

18 5. ~~crime~~ 4. Crime and fidelity bonds; or

19 6. ~~crop/hail~~ 5. Crop/hail; or

20 6. Multi-peril crop.

21 C. The Commissioner shall prepare and make available to
22 applicants a manual of instructions stating in general terms the
23 subjects which may be covered in any examination for a license as an
24

1 adjuster. The Commissioner may charge a reasonable amount not to
2 exceed Forty Dollars (\$40.00) for the study manual.

3 SECTION 9. AMENDATORY 36 O.S. 2001, Section 6210, as
4 last amended by Section 46, Chapter 176, O.S.L. 2009 (36 O.S. Supp.
5 2010, Section 6210), is amended to read as follows:

6 Section 6210. A. The answers of the applicant to any
7 examination for licensing as an adjuster shall be written by the
8 applicant under supervision of the Insurance Commissioner or an
9 administrator approved by the Insurance Commissioner.

10 B. Examination for licensing shall be at such reasonable times
11 and places as are designated by the Insurance Commissioner.

12 C. An applicant who has failed to pass the first ~~examination~~
13 two examinations for the license ~~for which applied may take a second~~
14 examination within ~~for~~ shall not be permitted to take a subsequent
15 examination until the expiration of thirty (30) days ~~following the~~
16 first after the last examination. ~~An applicant who has failed to~~
17 ~~pass the first two examinations for the license for which applied~~
18 ~~shall not be permitted to take a subsequent examination until the~~
19 ~~expiration of thirty (30) days after the last previous examination.~~
20 ~~An applicant shall take and pass the examination within one hundred~~
21 ~~eighty (180) days of the date of the initial application. If the~~
22 ~~applicant fails to pass an examination within the specified time~~
23 ~~period, the applicant shall submit a new application accompanied by~~

24

1 ~~any applicable fees.~~ Examination fees for subsequent examinations
2 shall not be waived.

3 SECTION 10. AMENDATORY 36 O.S. 2001, Section 6217, as
4 last amended by Section 2, Chapter 355, O.S.L. 2010 (36 O.S. Supp.
5 2010, Section 6217), is amended to read as follows:

6 Section 6217. A. All licenses issued pursuant to the
7 provisions of the Insurance Adjusters Licensing Act shall continue
8 in force not longer than twenty-four (24) months. The renewal dates
9 for the licenses may be staggered throughout the year by notifying
10 licensees in writing of the expiration and renewal date being
11 assigned to the licensees by the Insurance Commissioner and by
12 making appropriate adjustments in the biennial licensing fee.

13 B. Any licensee applying for renewal of a license as an
14 adjuster shall have completed not less than twenty-four (24) clock
15 hours of continuing insurance education, of which three (3) hours
16 ~~must~~ shall be in ethics, within the previous twenty-four (24) months
17 prior to renewal of the license. ~~Such continuing education shall~~
18 ~~cover subjects in the classes of insurance for which the adjuster is~~
19 ~~licensed.~~ The Insurance Commissioner shall approve courses and
20 providers of continuing education for insurance adjusters as
21 required by this section.

22 The Insurance Department may use one or more of the following to
23 review and provide a nonbinding recommendation to the Insurance
24

1 Commissioner on approval or disapproval of courses and providers of
2 continuing education:

3 1. Employees of the Insurance Commissioner;

4 2. A continuing education advisory committee. The continuing
5 education advisory committee is separate and distinct from the
6 Advisory Board established by Section 6221 of this title;

7 3. An independent service whose normal business activities
8 include the review and approval of continuing education courses and
9 providers. The Commissioner may negotiate agreements with such
10 independent service to review documents and other materials
11 submitted for approval of courses and providers and present the
12 Commissioner with its nonbinding recommendation. The Commissioner
13 may require such independent service to collect the fee charged by
14 the independent service for reviewing materials provided for review
15 directly from the course providers.

16 C. An adjuster who, during the time period prior to renewal,
17 participates in an approved professional designation program shall
18 be deemed to have met the biennial requirement for continuing
19 education. Each course in the curriculum for the program shall
20 total a minimum of twenty (20) hours. Each approved professional
21 designation program included in this section shall be reviewed for
22 quality and compliance every three (3) years in accordance with
23 standardized criteria promulgated by rule. Continuation of approved
24 status is contingent upon the findings of the review. The list of

1 professional designation programs approved under this subsection
2 shall be made available to producers and providers annually.

3 D. A claims adjuster for any insurer duly authorized to
4 transact workers' compensation insurance shall complete six (6)
5 hours of continuing education relating to the Workers' Compensation
6 Act as part of the twenty-four (24) clock hours of continuing
7 insurance education.

8 E. The Insurance Department may promulgate rules providing that
9 courses or programs offered by professional associations shall
10 qualify for presumptive continuing education credit approval. The
11 rules shall include standardized criteria for reviewing the
12 professional associations' mission, membership, and other relevant
13 information, and shall provide a procedure for the Department to
14 disallow a presumptively approved course. Professional association
15 courses approved in accordance with this subsection shall be
16 reviewed every three (3) years to determine whether they continue to
17 qualify for continuing education credit.

18 F. The active service of a licensed adjuster as a member of a
19 continuing education advisory committee, as described in paragraph 2
20 of subsection B of this section, shall be deemed to qualify for
21 continuing education credit on an hour-for-hour basis.

22 G. Each provider of continuing education shall, after approval
23 by the Commissioner, submit an annual fee. A fee may be assessed
24 for each course submission at the time it is first submitted for

1 review and upon submission for renewal at expiration. Annual fees
2 and course submission fees shall be set forth as a rule by the
3 Commissioner. The fees are payable to the Insurance Commissioner
4 and shall be deposited in the State Insurance Commissioner Revolving
5 Fund, created in subsection C of Section 1435.23 of this title, for
6 the purposes of fulfilling and accomplishing the conditions and
7 purposes of the Oklahoma Producer Licensing Act and the Insurance
8 Adjusters Licensing Act. Public-funded educational institutions,
9 federal agencies, nonprofit organizations, not-for-profit
10 organizations and Oklahoma state agencies shall be exempt from this
11 subsection.

12 H. Subject to the right of the Commissioner to suspend, revoke,
13 or refuse to renew a license of an adjuster, any such license may be
14 renewed by filing on the form prescribed by the Commissioner on or
15 before the expiration date a written request by or on behalf of the
16 licensee for such renewal and proof of completion of the continuing
17 education requirement set forth in subsection B of this section,
18 accompanied by payment of the renewal fee.

19 I. If the request, proof of compliance with the continuing
20 education requirement and fee for renewal of a license as an
21 adjuster are filed with the Commissioner prior to the expiration of
22 the existing license, the licensee may continue to act pursuant to
23 said license, unless revoked or suspended prior to the expiration
24 date, until the issuance of a renewal license or until the

1 expiration of ten (10) days after the Commissioner has refused to
2 renew the license and has mailed notice of said refusal to the
3 licensee. Any request for renewal filed after the date of
4 expiration may be considered by the Commissioner as an application
5 for a new license.

6 SECTION 11. AMENDATORY 59 O.S. 2001, Section 1304, is
7 amended to read as follows:

8 Section 1304. ~~All licenses of bail bondsmen~~ Each bail bondsman
9 license issued shall expire ~~annually~~ biennially at 12:00 o'clock
10 midnight on the last day of ~~September~~ the birth month of the
11 bondsman, unless revoked or suspended prior thereto by the Insurance
12 Commissioner, or upon notice served upon the Commissioner that the
13 insurer or employer of any bail bondsman has canceled the licensee's
14 authority to act for such insurer or employer.

15 SECTION 12. AMENDATORY 59 O.S. 2001, Section 1305, as
16 last amended by Section 55, Chapter 222, O.S.L. 2010 (59 O.S. Supp.
17 2010, Section 1305), is amended to read as follows:

18 Section 1305. A. The application for license to serve as a
19 bail bondsman shall affirmatively show that the applicant:

- 20 1. Is a person who has reached the age of twenty-one (21)
21 years;
- 22 2. Is of good character and reputation;

23
24

1 3. Has not been previously convicted of, or pled guilty or nolo
2 contendere to, any felony, or to a misdemeanor involving moral
3 turpitude or dishonesty;

4 4. Is a citizen of the United States;

5 5. Has been a bona fide resident of the state for at least one
6 (1) year;

7 6. Will actively engage in the bail bond business;

8 7. Has knowledge or experience, or has received instruction in
9 the bail bond business; and

10 8. Has a high school diploma or its equivalent; provided,
11 however, the provisions of this paragraph shall apply only to
12 initial applications for license submitted on or after November 1,
13 1997, and shall not apply to renewal applications for license.

14 B. The applicant shall apply ~~in writing~~ electronically on forms
15 ~~prepared and supplied~~ approved by the Insurance Commissioner, and
16 the Commissioner may propound any reasonable interrogatories to an
17 applicant for a license pursuant to Sections 1301 through 1340 of
18 this title, or on any renewal thereof, relating to qualifications,
19 residence, prospective place of business and any other matters
20 which, in the opinion of the Commissioner, are deemed necessary or
21 expedient in order to protect the public and ascertain the
22 qualifications of the applicant. The Commissioner may also conduct
23 any reasonable inquiry or investigation relative to the
24 determination of the fitness of the applicant to be licensed or to

1 continue to be licensed including, but not limited to, requiring a
2 national criminal history record check as defined by Section 150.9
3 of Title 74 of the Oklahoma Statutes.

4 C. An applicant shall furnish to the Commissioner a license fee
5 of Two Hundred Fifty Dollars (\$250.00) with the application, a
6 complete set of the fingerprints of the applicant and two recent
7 credential-size full face photographs of the applicant. The
8 fingerprints of the applicant shall be certified by an authorized
9 law enforcement officer. The applicant shall provide with the
10 application an investigative fee of One Hundred Dollars (\$100.00)
11 with which the Commissioner will conduct an investigation of the
12 applicant. All fees shall be nonrefundable.

13 D. Failure of the applicant to secure approval of the
14 Commissioner shall not preclude the applicant from reapplying, but a
15 second application shall not be considered by the Commissioner
16 within three (3) months after denial of the last application.

17 E. The fee for a duplicate pocket license shall be Twenty-five
18 Dollars (\$25.00).

19 SECTION 13. AMENDATORY 59 O.S. 2001, Section 1308, is
20 amended to read as follows:

21 Section 1308. A. The applicant for bail bondsman shall be
22 required to appear in person and take ~~a written~~ an examination
23 prepared by the Insurance Commissioner, testing the applicant's
24 ability and qualifications to be a bail bondsman. Applications are

1 valid for six (6) months after submission. If an applicant has not
2 acted upon the application within that period, a new application and
3 fees shall be submitted for the applicant to be considered for
4 licensure.

5 B. Each applicant shall become eligible for examination ~~ninety~~
6 ~~(90) days after the date the application is received by the~~
7 ~~Commissioner,~~ if the applicant has completed sixteen (16) hours of
8 education as required by Section 1308.1 of this title ~~and the~~
9 ~~Commissioner is otherwise satisfied as to the applicant's fitness to~~
10 ~~take~~ prior to the examination. Examinations shall be held at times
11 and places as designated by the Commissioner, ~~and the applicant~~
12 ~~shall be given notice of the time and place not less than fifteen~~
13 ~~(15) days prior to taking the examination.~~

14 C. The fee for the examination shall be One Hundred Dollars
15 (\$100.00) ~~in addition to the license fee heretofore provided and~~
16 ~~shall be submitted after approval of the application but prior to~~
17 ~~taking the examination.~~ Results will be mailed to the applicant
18 ~~within thirty (30) days~~ provided after the applicant is examined.

19 D. The failure of an applicant to pass an examination shall not
20 preclude the applicant from taking subsequent examinations;
21 provided, however, that at least ~~three (3) months must~~ thirty (30)
22 days shall intervene between examinations; and provided further,
23 after a third or subsequent examination failure, an applicant may
24

1 not ~~apply and~~ be examined for at least one (1) year after the last
2 examination failure.

3 SECTION 14. AMENDATORY 59 O.S. 2001, Section 1308.1, is
4 amended to read as follows:

5 Section 1308.1 A. In order to be eligible to take the
6 examination required to be licensed as a bail bondsman, each person
7 shall complete not less than sixteen (16) clock hours of education
8 in subjects pertinent to the duties and responsibilities of a bail
9 bondsman, including all laws and regulations related thereto.
10 Further, each licensee shall complete ~~annually~~ biennially not less
11 than ~~eight (8)~~ sixteen (16) clock hours of continuing education in
12 said subjects prior to renewal of the license. Such continuing
13 education shall not include a written or oral examination.

14 Provided, any person licensed as a bail bondsman prior to
15 November 1, 1989, shall not be required to complete sixteen (16)
16 clock hours of education prior to licensure but shall be subject to
17 the ~~eight-hours~~ sixteen-hour continuing education requirement in
18 order to renew said license, except that a licensed bail bondsman
19 who is sixty-five (65) years of age or older and who has been
20 licensed as a bail bondsman for fifteen (15) years or more shall be
21 exempt from both the education and continuing education requirements
22 of this section.

23 B. The Oklahoma Bondsman Association shall provide education
24 for bail bondsman licensure as required by this section; provided

1 that the Insurance Commissioner shall approve the courses offered
2 and provided further such education meets the general standards for
3 education otherwise established by the Insurance Commissioner.

4 C. The Oklahoma Bondsman Association shall submit ~~an annual~~
5 biennially a fee of One Hundred Dollars (\$100.00) Two Hundred
6 Dollars (\$200.00), payable to the Insurance Commissioner which shall
7 be deposited ~~in the Bail Bondsmen Revolving Fund~~ with the State
8 Treasurer for the purposes of fulfilling and accomplishing the
9 conditions and purposes of this section.

10 D. Any person who falsely represents to the Insurance
11 Commissioner that compliance with this section has been met shall be
12 subject, after notice and hearing, to the penalties and fines set
13 out in Section 1310 of this title.

14 E. The Commissioner shall adopt and promulgate such rules as
15 are necessary for effective administration of this section.

16 SECTION 15. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1311.3 of Title 59, unless there
18 is created a duplication in numbering, reads as follows:

19 A. It shall be unlawful for any person whose license to act as
20 a bail bondsman has been suspended, revoked, surrendered, or
21 refused, to do or perform any of the acts of a bail bondsman. Any
22 person convicted of violating the provisions of this subsection
23 shall be guilty of a felony and shall be punished by a fine in an
24 amount not exceeding Five Thousand Dollars (\$5,000.00).

1 B. It shall be unlawful for any bail bondsman to assist, aid,
2 or conspire with a person whose license as a bail bondsman has been
3 suspended, revoked, surrendered, or refused, to engage in any acts
4 as a bail bondsman. Any person convicted of violating the
5 provisions of this subsection shall be guilty of a felony and shall
6 be punished by a fine in an amount not to exceed Five Thousand
7 Dollars (\$5,000.00).

8 SECTION 16. AMENDATORY 59 O.S. 2001, Section 1309, is
9 amended to read as follows:

10 Section 1309. A. A renewal license shall be issued by the
11 Insurance Commissioner to a licensee who has continuously maintained
12 same in effect, without further examination, upon payment of a
13 renewal fee of ~~One Hundred Dollars (\$100.00)~~ Two Hundred Dollars
14 (\$200.00) for a bail bondsman and proof of completion of ~~eight (8)~~
15 sixteen (16) hours of continuing education as required by Section
16 1308.1 of this title. The renewal fee for licenses expiring
17 September 15, 2012, shall be prorated to the birth month of the
18 bondsman. Thereafter the renewal fee shall be submitted by
19 September 15 of each year biennially by the last day of the birth
20 month of the bondsman. Such licensee shall in all other respects be
21 required to comply with and be subject to the provisions of Section
22 1301 et seq. of this title.

23 B. In case of renewal of a professional bondsman license, the
24 application shall also provide a financial statement prepared by an

1 accounting firm or individual holding a permit to practice public
2 accounting in this state in accordance with generally accepted
3 principles of accounting procedures showing assets, liabilities, and
4 net worth, ~~said~~ the statement to be as of a date not earlier than
5 ninety (90) days prior to submission of the license renewal
6 application. The statements shall be attested to by an unqualified
7 opinion of the accounting firm or individual holding a permit to
8 practice public accounting in this state that prepared the statement
9 or statements. The statement shall be submitted ~~by September 15 of~~
10 ~~each year~~ annually by the last day of the birth month of the
11 bondsman.

12 C. In case of renewal of a property bondsman license, the
13 application shall also provide a county assessor's written statement
14 stating the property's assessed value for each property used to post
15 bonds and a written statement from any lien holder stating the
16 current payoff amount on each lien for each property used to post
17 bonds. The written statements shall be submitted ~~by September 15 of~~
18 ~~each year~~ annually by the last day of the birth month of the
19 bondsman.

20 D. If the license is not renewed or the renewal fee is not paid
21 by ~~September 30 of each year~~ the last day of the birth month of the
22 bondsman, such the license shall expire automatically pursuant to
23 Section 1304 of this title. ~~If after November 30 of each year the~~
24 ~~license has not been renewed or the renewal fee paid, then such~~

1 ~~licensee shall be required to apply for a license as a new applicant~~
2 After expiration, the license may be reinstated for up to one (1)
3 year following the expiration date. If after the one-year date the
4 license has not been renewed, the licensee shall be required to
5 apply for a license as a new applicant.

6 E. ~~Late renewal~~ Reinstatement fees shall be double the original
7 fee.

8 SECTION 17. AMENDATORY 59 O.S. 2001, Section 1314, as
9 last amended by Section 58, Chapter 222, O.S.L. 2010 (59 O.S. Supp.
10 2010, Section 1314), is amended to read as follows:

11 Section 1314. A. When a bail bondsman or managing general
12 agent accepts collateral, the bail bondsman or managing general
13 agent shall give a written receipt for same, and this receipt shall
14 give in detail a full description of the collateral received. A
15 description of the collateral shall be listed on the undertaking by
16 affidavit. All property taken as collateral, whether personal,
17 intangible or real, shall be receipted for and deemed, for all
18 purposes, to be in the name of, and for the use and benefit of, the
19 surety company or licensed professional bondsman, as the case may
20 be. Every receipt, encumbrance, mortgage or other evidence of the
21 custody, possession or claim shall facially indicate that it has
22 been taken or made on behalf of the surety company or professional
23 bondsman through its authorized agent, the individual licensed
24 bondsman or managing general agent who has transacted the

1 undertaking with the bond principal. Any mortgage or other
2 encumbrance against real property taken under the provisions of this
3 section which does not indicate beneficial ownership of the claim to
4 be in favor of the surety company or professional bondsman shall be
5 deemed to constitute a cloud on the title to real estate and shall
6 subject the person filing, or causing same to be filed, in the real
7 estate records of the county, to a penalty of treble damages or One
8 Thousand Dollars (\$1,000.00), whichever is greater, in an action
9 brought by the person, organization or corporation injured thereby.
10 For collateral taken, or liens or encumbrances taken or made
11 pursuant to the provisions of this section, the individual bondsman
12 or managing general agent taking possession of the property or
13 making the lien, claim or encumbrance shall do so on behalf of the
14 surety company or professional bondsman, as the case may be, and the
15 individual licensed bondsman shall be deemed to act in the capacity
16 of fiduciary in relation to both:

17 1. The principal or other person from whom the property is
18 taken or claimed against; and

19 2. The surety company or professional bondsman whose agent is
20 the licensed bondsman.

21 As fiduciary and bailee for hire, the individual bondsman shall
22 be liable in criminal or civil actions at law for failure to
23 properly receipt or account for, maintain or safeguard, release or
24 deliver possession upon lawful demand, in addition to any other

1 penalties set forth in this subsection. No person who takes
2 possession of property as collateral pursuant to this section shall
3 use or otherwise dissipate the asset, or do otherwise with the
4 property than to safeguard and maintain its condition pending its
5 return to its lawful owner, or deliver to the surety company or
6 professional bondsman, upon lawful demand pursuant to the terms of
7 the bailment.

8 B. Every licensed bondsman shall file monthly ~~by mail with~~
9 ~~return receipt requested~~ electronically with the Insurance
10 Commissioner and on forms ~~prescribed~~ approved by the Commissioner as
11 follows:

12 1. A monthly report showing every bond written, amount of bond,
13 whether released or revoked during each month, showing the court and
14 county, and the style and number of the case, premiums charged and
15 collateral received; and

16 2. Professional bondsmen shall submit ~~by mail with return~~
17 ~~receipt requested notarized~~ electronic monthly reports showing total
18 current liabilities, all bonds written during the month by the
19 professional bondsman and by any licensed bondsman who may
20 countersign for the professional bondsman, all bonds terminated
21 during the month, and the total liability and a list of all bondsmen
22 currently employed by the professional bondsmen.

23 Monthly reports shall be ~~postmarked or stamped "received"~~ by
24 submitted electronically to the Insurance Commissioner by the

1 fifteenth day of each month. The records shall be maintained by the
2 Commissioner as public records.

3 C. Every licensee shall keep at the place of business of the
4 licensee the usual and customary records pertaining to transactions
5 authorized by the license. All of the records shall be available
6 and open to the inspection of the Commissioner at any time during
7 business hours during the three (3) years immediately following the
8 date of the transaction. The Commissioner may require a financial
9 examination or market conduct survey during any investigation of a
10 licensee.

11 D. Each bail bondsman shall submit each month with the monthly
12 report of the bondsman, a renewal fee equal to two-tenths of one
13 percent (2/10 of 1%) of the new liability written for that month.
14 The fee shall be payable to the Insurance Commissioner who shall
15 deposit same with the State Treasurer.

16 SECTION 18. AMENDATORY 59 O.S. 2001, Section 1320, is
17 amended to read as follows:

18 Section 1320. A. No bail bondsman shall become a surety on an
19 undertaking unless ~~he~~ the bondsman has first registered ~~his~~ the
20 bondsmans' license in the office of the sheriff and with the clerk
21 of the district court in the county in which the bondsman resides or
22 offices, but not both. In the county in which a bondsman registers
23 ~~his~~ the bondsmans' license, ~~he~~ the bondsman shall provide the court
24 clerk with proof that ~~he~~ the bondsman is a resident of ~~said~~ the

1 county or ~~that he~~ maintains offices in ~~said~~ the county. The court
2 clerk of the county shall provide a list of bondsmen permitted to
3 write surety in that county to the judges and law enforcement
4 offices of that county. In any county not having a licensed
5 bondsman authorized to do business within ~~said~~ the county, the court
6 having jurisdiction shall allow and fix bail.

7 A surety bondsman shall also file a certified copy of ~~his~~ the
8 bondsmans' appointment by power of attorney from the insurer which
9 ~~he~~ the bondsman represents as agent with each of ~~said~~ the officers.
10 A fee of Ten Dollars (\$10.00) shall be paid to the district court
11 clerk for each county in which the bail bondsman registers ~~his~~ a
12 license. The fee shall be payable annually by the date of license
13 renewal. The clerk of the district court and the sheriff shall not
14 permit the registration of a bail bondsman unless such bondsman is
15 currently licensed by the Insurance Commissioner under the
16 provisions of Section 1301 et seq. of this title.

17 B. Notwithstanding the foregoing provisions of this section, a
18 bondsman may write bonds ~~on no more than ten defendants per year~~ in
19 each of the remaining seventy-six counties of this state in which
20 the bondsman cannot register his license. ~~Provided, however, a~~
21 ~~bondsman shall not be limited to writing bonds on only ten~~
22 ~~defendants per year in a county which does not have a licensed~~
23 ~~bondsman registered in said county.~~ The bondsman shall advise the
24 court clerk of each such county in writing of his intention to write

1 bonds in the county and shall file a certified copy of ~~his~~ the
2 bondsmans' license with and pay a fee of Ten Dollars (\$10.00) to
3 each such court clerk.

4 SECTION 19. REPEALER Section 11, Chapter 125, O.S.L.
5 2007 (36 O.S. Supp. 2010, Section 1435.7A), is hereby repealed.

6 SECTION 20. Sections 1 through 14, 16 through 17, and 19 of
7 this act shall become effective upon order of the Insurance
8 Commissioner.

9 SECTION 21. Sections 15 and 18 of this act shall become
10 effective July 1, 2011.

11 SECTION 22. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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