SENATE FLOOR VERSION
February 20, 2012

SENATE BILL NO. 1476 By: Johnson (Rob) of the Senate

and

McNiel of the House

An Act relating to the Service Warranty Insurance Act; amending 36 O.S. 2011, Section 6614, which relates to the filing of forms; requiring service contract to state certain information; providing that the identities of certain parties are not required to be preprinted on the contract; and providing an effective date.

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

SECTION 1. AMENDATORY 36 O.S. 2011, Section 6614, is amended to read as follows:

Section 6614. A. No service warranty form or related form shall be issued or used in this state unless the form has been filed with and approved by the Insurance Commissioner.

B. Each filing of a form shall be made not less than thirty (30) days in advance of its issuance or use. At the expiration of thirty (30) days from date of filing, a form so filed shall be deemed approved unless prior thereto it has been affirmatively disapproved by written order of the Commissioner.

C. Each service warranty contract shall contain a cancellation provision. In the event the contract is canceled by the warranty

holder, return of premium shall be based upon ninety percent (90%) of the unearned pro rata premium less the actual cost of any service provided under the service warranty contract. In the event the contract is canceled by the association, return of premium shall be based upon one hundred percent (100%) of unearned pro rata premium less the actual cost of any service provided under the service warranty contract.

D. Service contracts shall state the name and address of the provider and shall identify any administrator if different from the provider, the service contract seller and the service contract holder to the extent that the name of the service contract holder has been furnished by the service contract holder. The identities of the parties are not required to be preprinted on the service contract and may be added to the service contract at the time of sale.

E. The Commissioner shall disapprove any form filed pursuant to this section if the form:

1. Violates the Service Warranty Insurance Act;

2. Is misleading in any respect; or

3. Is reproduced so that any material provision is substantially illegible.

SECTION 2. This act shall become effective November 1, 2012.

COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT & INSURANCE, dated 2-16-12 - DO PASS, As Coauthored.