

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1060

By: Brown

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5  
6 AS INTRODUCED

7 An Act relating to insurance fraud; amending 36 O.S.  
8 2011, Section 363, which relates to notification of  
9 suspected fraud; requiring insurers to notify the  
10 Workers' Compensation and Insurance Fraud Unit of the  
11 Office of the Attorney General of suspected insurance  
12 fraud; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 36 O.S. 2011, Section 363, is  
15 amended to read as follows:

16 Section 363. A. Any insurer who has reason to believe that a  
17 person or entity has engaged in or is engaging in an act or practice  
18 that violates any statute or administrative rule of this state  
19 related to insurance fraud shall immediately notify the Anti-Fraud  
20 Unit of the Insurance Department and the Workers' Compensation and  
Insurance Fraud Unit of the Office of the Attorney General.

21 B. In the absence of fraud, bad faith, reckless disregard for  
22 the truth, or actual malice, no person, insurer, or agent of an  
23 insurer shall be liable for damages in a civil action or subject to  
24 criminal prosecution for supplying information about suspected

1 insurance fraud to the Anti-Fraud Division of the Insurance  
2 Department, the Workers' Compensation and Insurance Fraud Unit of  
3 the Office of the Attorney General or any other agency involved in  
4 the investigation or prosecution of suspected insurance fraud. The  
5 immunity provided in this subsection shall not extend to any person,  
6 insurer, or agent of an insurer for communications or publications  
7 about suspected insurance fraud to any other person or entity.

8 SECTION 2. It being immediately necessary for the preservation  
9 of the public peace, health and safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

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