

1 STATE OF OKLAHOMA

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

3 SENATE JOINT  
4 RESOLUTION 90

By: Burrage

5  
6 AS INTRODUCED

7 A Joint Resolution disapproving an emergency rule  
8 relating to the Oklahoma Insurance Department;  
9 directing distribution; and declaring an emergency.

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11 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the  
12 Oklahoma Statutes, the Legislature reserves the right to designate  
13 the method for rule promulgation, establish policy, determine that a  
14 rule is not consistent with legislative intent, and disapprove any  
15 rule or portion thereof at any time; and

16 WHEREAS, pursuant to the provisions of Sections 307.1, 2043,  
17 3611 and 4403 of Title 36 of the Oklahoma Statutes, the Insurance  
18 Commissioner shall be responsible for adopting and promulgating  
19 rules for the implementation and administration of the provisions of  
20 the Insurance Code; and

21 WHEREAS, the Legislature recognizes that the amendments to OAC  
22 365:10-1-15 which were adopted by the Insurance Commissioner on an  
23 emergency basis on October 28, 2011, and approved by the Governor on  
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1 December 5, 2011, in their current form, do not reflect the intent  
2 of the Oklahoma Legislature.

3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
4 REPRESENTATIVES OF THE 2ND SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

5 SECTION 1. The Legislature hereby disapproves emergency rule  
6 OAC 365:10-1-15.

7 SECTION 2. The Secretary of State is hereby directed to  
8 distribute copies of this resolution to the Governor, the Insurance  
9 Commissioner, and the Editor of "The Oklahoma Register".

10 SECTION 3. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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