

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2941

By: Ortega

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5
6 AS INTRODUCED

7 An Act relating to insurance; amending 36 O.S. 2011,
8 Section 4809, which relates to reduced property
9 insurance rates; increasing certain penalties; and
10 providing an effective date.

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

12 SECTION 1. AMENDATORY 36 O.S. 2011, Section 4809, is
13 amended to read as follows:

14 Section 4809. A. No property or casualty insurance company
15 shall give any special or reduced rate for fire insurance on any
16 risk because it is located in a rural fire protection district or in
17 an area protected by a rural fire department in which the district
18 or department is wholly or partially funded by dues or subscription
19 payments paid by owners of property who are members of an
20 association supporting the rural fire department to any person who
21 fails or refuses to pay the appropriate dues or subscription
22 payments for support of the district or department pursuant to the
23 procedure outlined in subsection C of this section.

1 B. Property owners owning property in more than one fire
2 district or fire department area relying on dues or subscriptions
3 for partial or complete funding shall pay dues to a fire district or
4 fire department in whose district or area they own property if they
5 wish to receive special or reduced rates for property and casualty
6 insurance.

7 C. It is unlawful for any insurance agent or company to
8 knowingly write an initial policy of fire insurance coverage or to
9 rewrite such a policy on any risk located in a rural fire protection
10 district or in any area protected by a rural fire department at any
11 special or reduced rate or with any rate credit based on location of
12 the risk in the district or area without having first obtained from
13 the insured or from the rural fire protection district or rural fire
14 department evidence that current dues or subscription payments, if
15 any, for the property to be insured have been paid. The evidence
16 required by the insurer may be a receipt, canceled check, or other
17 valid proof of payment.

18 D. If any agent is found by the Insurance Commissioner to have
19 violated the provisions of this subsection, the agent shall be
20 liable for an administrative penalty of ~~Twenty-five Dollars (\$25.00)~~
21 One Hundred Dollars (\$100.00) for the first violation and ~~Fifty~~
22 ~~Dollars (\$50.00)~~ Two Hundred Dollars (\$200.00) for any subsequent
23 violation.

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SECTION 2. This act shall become effective November 1, 2014.

54-2-8917 AMM 01/10/14