

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3238

By: Derby

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5
6 AS INTRODUCED

7 An Act relating to insurance; amending 36 O.S. 2001,
8 Section 305, which relates to Insurance Commissioner
9 appointments; clarifying language; and providing an
10 effective date.

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

13 SECTION 1. AMENDATORY 36 O.S. 2001, Section 305, is
14 amended to read as follows:

15 Section 305. A. The Insurance Commissioner may appoint such
16 deputies, assistants, examiners, actuaries, attorneys, clerks and
17 employees, at salaries to be fixed by the Insurance Commissioner, as
18 may be necessary properly to discharge the duties imposed upon the
19 Insurance Commissioner under this Code. The Insurance Commissioner
20 shall appoint all examiners for ~~his~~ the Commissioner's office. The
21 attorneys appointed by the Insurance Commissioner shall be the legal
22 advisors for the office of Insurance Commissioner and are authorized
23 to appear for and represent the Insurance Commissioner in any and
24 all litigation that may arise in the discharge of ~~his~~ the

1 Commissioner's duties except as otherwise provided elsewhere in this
2 Code. Provided, the Insurance Commissioner, whenever ~~he deems it~~
3 necessary, may call upon the Attorney General of the State of
4 Oklahoma for legal counsel, and such assistance as may be required
5 to enforce provisions of this Code.

6 B. No deputy, assistant or employee of the Commissioner shall
7 be financially interested, directly or indirectly, in any insurer,
8 agency or insurance transaction except as a policyholder or claimant
9 under a policy; except, that as to such matters wherein a conflict
10 of interests does not exist on the part of any such individual, the
11 Commissioner may employ from time to time insurance actuaries or
12 other technicians who are independently practicing their professions
13 even though similarly employed by insurers and others. This section
14 shall not be deemed to prohibit employment by the Commissioner of
15 retired or pensioned personnel of insurers or insurance
16 organizations.

17 SECTION 2. This act shall become effective November 1, 2010.
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