

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1156 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____
Amendment submitted by: Mark McCullough _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

PROPOSED COMMITTEE
SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1156

By: Aldridge of the Senate

and

Faught of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to automobile liability insurance;
requiring reimbursement to insurer in certain cases;
mandating binding arbitration to determine liability;
providing certain exceptions to right of
reimbursement; repealing 36 O.S. 2011, Section 6092,
which relates to limitations on subrogation; and
providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 6093 of Title 36, unless there
is created a duplication in numbering, reads as follows:

A. Except as provided in subsection B of this section, every
policy providing personal injury protection coverage is subject to
the following:

1 1. That where the insured under the policy is or would be held
2 legally liable for the personal injuries sustained by any person to
3 whom benefits required under personal injury protection have been
4 paid by another insurer, the insurer of the person who would be held
5 legally liable shall reimburse the other insurer for the payment,
6 but not in excess of the amount of damages recoverable; and

7 2. That the issue of liability for that reimbursement and its
8 amount shall be decided by mandatory, binding arbitration between
9 the insurers.

10 B. There shall be no right of reimbursement between insurers
11 under subsection A of this section if:

12 1. The insurer of the person who would be held legally liable
13 for the personal injuries sustained has tendered its policy limit;
14 or

15 2. The person has sustained one or more of the following:

16 a. death,

17 b. dismemberment, or

18 c. permanent disability or permanent impairment based
19 upon objective findings.

20 SECTION 2. REPEALER 36 O.S. 2011, Section 6092, is
21 hereby repealed.

22 SECTION 3. This act shall become effective November 1, 2012.

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24 53-2-10295 EK 04/09/12

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