

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2755 \_\_\_\_\_  
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**

Amendment submitted by: Leslie Osborn

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 2755

By: Osborn (Leslie)

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to insurance; amending 36 O.S. 2011, Section 306, which relates to Insurance Department records; requiring certain files and records be open public records; and providing an effective date.

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

SECTION 1. AMENDATORY 36 O.S. 2011, Section 306, is amended to read as follows:

Section 306. A. The records, books, and papers pertaining to the official transactions, filings, examinations, investigations, and proceedings of the Insurance Department shall be maintained by the Department until disposition thereof has been approved by the Archives and Records Commission. These records, books, and papers shall be public records of the state. However, reports of examinations of insurers shall be filed and made public only as provided in Section 309.4 of this title. Open and ongoing investigative and disciplinary files shall not be made public until

1 their completion or unless they are ordered to be made public by the  
2 proper judicial official. Files of the claims division of the  
3 office of the Commissioner, including but not limited to complaints  
4 and requests for assistance from insureds, and insurance agency and  
5 company records, shall ~~not~~ be open public records ~~and shall not be~~  
6 ~~disclosed except in connection with disciplinary proceedings by the~~  
7 ~~Commissioner~~. Final market conduct orders shall be open public  
8 records.

9 B. Any document or other information generated by the Insurance  
10 Department or received by the Insurance Department from a  
11 governmental agency or any other public body of any kind, including  
12 an insurance guaranty fund or risk pool board, that has a protection  
13 from disclosure under any statute or evidentiary privilege from  
14 disclosure, while in the possession of the body that generated or  
15 received the information, shall retain its confidential character  
16 while in the possession of the Insurance Department. The Insurance  
17 Department may require that any agency or public body providing a  
18 document or other information, if it expects the information to be  
19 treated confidentially by the Insurance Department, to also provide  
20 simultaneously an express reference to the claimed protection from  
21 disclosure.

22 C. A court shall quash any subpoena commanding the disclosure  
23 of confidential information or closed records of the Insurance  
24 Department absent a showing of justification for the disclosure.

SECTION 2. This act shall become effective November 1, 2018.

56-2-9653            AMM            02/07/18