

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB102
Page 6 Section 3 Lines 19
Of the printed Bill
Of the Engrossed Bill

By inserting a new Section three to read as follows:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Scott McEachin

Reading Clerk

1 "SECTION 1. AMENDATORY Section 13, Chapter 150, O.S.L.
2 2012 (15 O.S. Supp. 2016, Section 141.13), as last amended by
3 Section 5 of Enrolled Senate Bill No. 427 of the 1st Session of the
4 56th Oklahoma Legislature, is amended to read as follows:

5 Section 141.13 A. No service warranty form or related form
6 shall be issued or used in this state unless the form has been filed
7 with the Insurance Commissioner. Service warranty forms shall not
8 be subject to prior approval and shall be filed with the Insurance
9 Commissioner for informational purposes only.

10 B. Each service warranty contract shall contain a cancellation
11 provision. In the event the contract is canceled by the warranty
12 holder, return of the provider fee shall be based upon ninety
13 percent (90%) of the unearned pro rata provider fee less the actual
14 cost of any service provided under the service warranty contract.
15 In the event the contract is canceled by the association, return of
16 premium shall be based upon one hundred percent (100%) of unearned
17 pro rata provider fee less the actual cost of any service provided
18 under the service warranty contract.

19 C. Service warranties shall state the name and address of the
20 service warranty association and shall identify any administrator if
21 different from the service warranty association, the service
22 warranty seller and the service warranty holder to the extent that
23 the name of the service warranty holder has been furnished by the
24 service warranty holder. For service warranties issued on and after

1 July 1, 2017, the identity of the service warranty association and
2 its license number shall be preprinted on the service warranty or
3 added at the time of sale so consumers can clearly identify the
4 obligor of the service warranty. Information to be printed at the
5 time of sale shall be indicated as such at the time the service
6 warranty is filed ~~for approval~~ and a "Jane Doe" specimen shall
7 accompany the service warranty illustrating how the service warranty
8 will look after printing.

9 D. The Commissioner shall have the authority to immediately
10 order a service warranty association to stop using any service
11 warranty contract if the Commissioner determines that the form:

- 12 1. Violates the Service Warranty Act;
- 13 2. Is misleading in any respect; or
- 14 3. Is reproduced so that any material provision is
15 substantially illegible.

16 E. The Insurance Commissioner may, by order, exempt from the
17 requirements of this section for so long as he or she deems proper
18 any document or form or type thereof as specified in such order, to
19 which, in his or her discretion this section may not practicably be
20 applied, or the filing of which is, in his or her opinion, not
21 desirable or necessary for the protection of the public."

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23 56-1-7747 JBH 04/25/17
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