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February 27, 2017

AS AMENDED

SENATE BILL NO. 371

By: Quinn of the Senate

and

Coody of the House

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[ fire insurance - reduced rates - unlawful acts -
effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

Section 4809. A. No property or casualty insurance company shall give any special or reduced rate for fire insurance on any risk because it is located in a rural fire protection district or in an area protected by a rural fire department in which the district or department is wholly or partially funded by dues or subscription payments paid by owners of property who are members of an association supporting the rural fire department to any person who fails or refuses to pay the appropriate dues or subscription payments for support of the district or department pursuant to the 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~~ renew such a policy on any risk located in a rural fire
10 protection district or in any area protected by a rural fire
11 department at any special or reduced rate or with any rate credit
12 based on location of the risk in the district or area without having
13 first obtained from the insured or from the rural fire protection
14 district or rural fire department evidence that current dues or
15 subscription payments, if any, for the property to be insured have
16 been paid. The evidence required by the insurer may be a receipt,
17 canceled check, or other 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 for the first violation and Fifty Dollars (\$50.00) for any
22 subsequent violation.
23
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SECTION 2. This act shall become effective November 1, 2017.

COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
February 27, 2017 - DO PASS AS AMENDED