

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3093 _____
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: _____

Reading Clerk

Amendment submitted by: Mark Tedford

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

FLOOR SUBSTITUTE
FOR

HOUSE BILL NO. 3093

By: Tedford of the House

and

Pemberton of the Senate

FLOOR SUBSTITUTE

An Act relating to insurance; amending 36 O.S. 2021, Section 942, which relates to motor vehicle insurance policies and when traffic record may be basis for rate changes or cancellation; modifying record requirements; amending 36 O.S. 2021, Section 943, which relates to cancellation of motor vehicle insurance policy, increasing premium rates, or refusal to issue or renew policy; prohibiting certain actions after filing first claim; modifying hearing language; and providing an effective date.

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

SECTION 1. AMENDATORY 36 O.S. 2021, Section 942, is amended to read as follows:

Section 942. Any insurance carrier that issues motor vehicle liability or collision insurance policies in this state shall not establish or apply premium rates, increase premium rates, cancel a policy, or refuse to issue or renew a policy, based on any traffic record ~~maintained by the Department of Public Safety,~~ including, but

1 not limited to, traffic complaints, traffic citations or other legal
2 forms of traffic charges, and accident reports, which covers a
3 period of time more than three (3) years prior to the date the
4 insurance carrier makes a determination to take any such action;
5 provided however, those offenses that are provided for in subsection
6 C of Section 941 of this title and the offense of reckless driving
7 as provided for in Section 11-901 of Title 47 of the Oklahoma
8 Statutes may be considered by an insurance carrier for a period of
9 not more than five (5) years.

10 SECTION 2. AMENDATORY 36 O.S. 2021, Section 943, is
11 amended to read as follows:

12 Section 943. A. No insurance carrier who issues motor vehicle
13 policies in this state shall use traffic complaints, traffic
14 citations or other legal forms of traffic charges as a basis for
15 cancellation of a motor vehicle insurance policy, increasing premium
16 rates for a motor vehicle insurance policy or refusing to issue or
17 renew a motor vehicle insurance policy, where:

- 18 1. the insured was acquitted of the charge;
- 19 2. the insured was arrested and no charges were filed; or
- 20 3. the insured was arrested and the charges were dismissed.

21 B. No insurer shall cancel, refuse to renew or otherwise
22 terminate, or increase the premium of a motor vehicle policy, which
23 has been in effect more than forty-five (45) days, solely because
24 the insured filed a first claim against the policy. Nothing in this

subsection shall be construed to prevent the cancellation,
nonrenewal or other termination, or increase in premium for any of
the following reasons:

1. Nonpayment of premium;

2. Discovery of fraud or material misrepresentation in the
procurement of the insurance or with respect to any claims submitted
thereunder;

3. Offenses provided for in subsection C of Section 941 of this
title;

4. Offenses provided for in Section 11-901 of Title 47 of the
Oklahoma Statutes; or

5. A determination by the Insurance Commissioner that the
continuation of the policy would place the insurer in violation of
the insurance laws of this state.

C. The Insurance Commissioner may suspend or revoke, after
notice and opportunity for a hearing, the certificate of authority
to transact insurance business in this state of any insurance
carrier violating the provisions of this section or may censure the
insurer or impose a fine.

SECTION 3. This act shall become effective November 1, 2024.

59-2-10718 MJ 03/07/24