

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1876

By: Reinhardt of the Senate

and

Tedford of the House

COMMITTEE SUBSTITUTE

An Act relating to service of process; amending 36 O.S. 2021, Sections 621 and 622, which relate to service of process on foreign insurers; modifying persons that may be appointed as agent; modifying revocability of agent appointment; requiring certain agent information be submitted to the Insurance Commissioner; providing for alternate service of process in certain circumstances; modifying manner of service of process; updating statutory 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 621, is amended to read as follows:

Section 621. A. Each authorized foreign or alien insurer shall appoint the Insurance Commissioner, a resident of this state, or a person who is authorized to do business in this state as its agent to receive service of legal process, other than a subpoena, issued against it in this state upon any cause of action arising from its

1 transaction of business in this state. ~~The appointment shall be~~
2 ~~irrevocable, shall bind any successor and shall remain in effect as~~
3 ~~long as there is in force in this state any contract made by the~~
4 ~~insurer or obligations arising therefrom.~~

5 B. Service of such process against a foreign or alien insurer
6 shall be made only by service of process upon the ~~Insurance~~
7 ~~Commissioner~~ agent appointed pursuant to subsection A of this
8 section. Service of process against a domestic insurer may be made
9 upon the insurer in the manner provided by laws applying to business
10 entities generally, or upon the insurer's attorney-in-fact if a
11 reciprocal insurer or a ~~Lloyds~~ Lloyd's association.

12 C. Each such insurer at the time of application for a
13 certificate of authority shall file with the Insurance Commissioner
14 designation of the name and address of the person to whom process
15 against it served upon the ~~Insurance Commissioner~~ agent appointed
16 pursuant to subsection A of this section is to be forwarded. The
17 insurer may change such designation by a new filing.

18 D. Any insurer appointing a registered agent other than the
19 Insurance Commissioner shall electronically submit the name and
20 address of the registered agent in the manner and form prescribed by
21 the Commissioner along with any applicable fee. Registered agent
22 names and addresses shall be made publicly available and kept
23 current, and any changes to such information shall be submitted to
24 the Commissioner within five (5) business days of such change.

1 E. If a person reasonably relies on the list of registered
2 agents maintained by the Insurance Commissioner pursuant to this
3 section and serves otherwise valid process on an insurance company's
4 designated registered agent, and it is later determined that the
5 registered agent listed by the Commissioner is incorrect, the person
6 may serve process upon the Commissioner. Upon receiving such
7 process, the Commissioner shall send notice to the insurer within
8 five (5) business days. If the person uses due diligence to serve
9 the Commissioner, the applicable statute of limitations shall be
10 tolled for the period of time beginning when the incorrect
11 registered agent received process and ending when the Commissioner
12 receives process.

13 SECTION 2. AMENDATORY 36 O.S. 2021, Section 622, is
14 amended to read as follows:

15 Section 622. A. Triplicate copies of legal process against an
16 insurer for whom the Insurance Commissioner is agent shall be served
17 upon the Commissioner at the principal offices of the Insurance
18 Department. When legal process against an insurer for whom the
19 ~~Insurance~~ Commissioner is agent is issued, it shall be served in
20 triplicate by any manner now provided by law or in lieu thereof by
21 mailing triplicate copies of such legal process in the United States
22 mails with postage prepaid to the ~~Insurance~~ Commissioner with return
23 receipt requested, in which event service shall be sufficient upon
24 showing of proof of mailing to the Commissioner with the return

1 receipt attached. At the time of service, the plaintiff shall pay
2 to the ~~Insurance~~ Commissioner Twenty Dollars (\$20.00), taxable as
3 costs in the action. Upon receiving service, the ~~Insurance~~
4 Commissioner shall promptly forward a copy ~~thereof~~ by mail with
5 return receipt requested to the person last so designated by the
6 insurer to receive the same.

7 B. ~~Process served upon the Insurance Commissioner and copy~~
8 ~~thereof forwarded~~ Copies of the petition and summons forwarded by
9 the Commissioner to the insurer's designated registered agent as
10 provided in this section shall constitute service upon the insurer.

11 SECTION 3. This act shall become effective November 1, 2026.

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