

# An Act

ENROLLED HOUSE  
BILL NO. 1084

By: Tedford of the House

and

Reinhardt of the Senate

An Act relating to insurance; providing definitions; prohibiting certain assignment of benefits; declaring certain assignments null and void; providing exceptions; clarifying procedures and penalties for violation; clarifying unprohibited activity; providing for codification; and providing an effective date.

SUBJECT: Insurance

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1230 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this act:

1. "Assignment agreement" means any instrument by which post-loss benefits under an auto or residential or commercial property insurance, including, but not limited to, any right of action against the insurer or any proceeds acquired from the insurer, are assigned, transferred, or acquired in any other manner, in whole or in part, to or from a person providing services, including, but not limited to, communicating with an insurer on an insured's behalf or inspecting, estimating, protecting, repairing, restoring, or replacing the property or mitigating against further damage to the property; and

2. "Person" means:

a. a natural person,

- b. a service provider,
- c. any type or form of corporation, company, partnership, proprietorship, association, or other legal entity, and
- d. a government, governmental subdivision or agency, or other governmental body.

B. 1. A person shall not solicit or accept an assignment, in whole or in part, of any post-loss insurance benefit for property damage under an auto collision or comprehensive policy, residential property insurance policy, or commercial property insurance policy. An assignment agreement is against public policy and is null and void, and any contract entered in violation of this section shall be void and unenforceable.

2. The provisions of paragraph 1 of this subsection do not apply to any of the following:

- a. an assignment, transfer, pledge, or conveyance granted to a federally insured financial institution, mortgagee, or a subsequent purchaser of the property, or
- b. liability coverage under an auto, residential, or commercial property insurance policy.

C. Violation of subsection B of this section is considered an unfair or deceptive trade practice. Any person who is found to have violated the provisions of subsection B of this section shall be subject to the procedures and penalties as other unfair or deceptive trade practices outlined in Title 36 of the Oklahoma Statutes.

D. Nothing in this section shall be interpreted to prohibit an attorney from collecting an attorney fee for an action related to a property insurance claim.

E. Nothing in this section shall be construed to prohibit an insured from authorizing or directing payment to, or paying, a person for services, materials, or any other thing which may be, or is, covered under an insurance policy. Insurers shall issue payment directly to a person for services, materials, and other items that are covered under an insurance policy, when the insured agrees that

any person providing such services should be paid directly, subject to applicable liens.

SECTION 2. This act shall become effective November 1, 2025.

Passed the House of Representatives the 21st day of May, 2025.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 7th day of May, 2025.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_