

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1592

6 By: Rosino and Reinhardt

7 COMMITTEE SUBSTITUTE

8 An Act relating to insurance; amending 36 O.S. 2021,  
9 Sections 981, 982, 985, 986, 987, 989, 994, and 995,  
10 as amended by Section 1, Chapter 304, O.S.L. 2022 (36  
11 O.S. Supp. 2025, Section 995), which relate to the  
12 Property and Casualty Competitive Loss Cost Rating  
13 Act; modifying purpose of act; modifying definitions;  
14 allowing certain rate to be determined to be  
15 excessive in certain situations; modifying  
16 requirements for certain rate to be considered  
17 unfairly discriminatory; prohibiting certain risks  
18 from being classified discriminatory on the basis of  
19 the religion of the insured; removing market  
20 limitations for filing of certain rates; requiring  
21 all insurers to file certain rate information with  
22 Insurance Commissioner; allowing Commissioner to  
23 request certain additional information from certain  
24 insurers; requiring certain submissions prior to  
certain effective date; removing requirement that  
insurers submit certain information in certain  
noncompetitive market; increasing certain time period  
for Commissioner to give written notice; increasing  
certain time period for consideration of certain  
filing; removing certain requirement allowing certain  
filing to be deemed in compliance within certain time  
period in certain noncompetitive market; allowing  
Commissioner to request certain additional  
information in certain filing; allowing Commissioner  
to hold certain hearing to determine if certain rate  
is excessive in certain situations; requiring certain  
burden to be on certain insurer; requiring  
Commissioner to disapprove certain rate if deemed  
excessive; allowing Commissioner to disapprove  
certain rate with certain notice and opportunity for

1 certain hearing; allowing Commissioner to disapprove  
2 certain rate after certain rate is in effect;  
3 removing requirement that certain disapproval not  
4 affect certain contracts or policies; allowing  
5 Commissioner to order certain premium return  
6 including certain interest; determining certain  
7 interest rate amount; requiring certain interest to  
8 be placed in certain reserve in certain situations;  
9 requiring certain advisory organization to file  
10 certain additional information requested by the  
11 Commissioner; increasing certain time period to file  
12 certain information with Commissioner; allowing  
13 Commissioner to give written notice within certain  
14 time period; requiring additional time to consider  
15 certain filing; requiring Commissioner to issue  
16 certain written order to require certain  
17 discontinuance of certain activity in certain  
18 situations; updating statutory language; repealing 36  
19 O.S. 2021, Sections 984 and 985.1, which relate to  
20 presumption of competitive market and rates; and  
21 providing an effective date.

22  
23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. AMENDATORY 36 O.S. 2021, Section 981, is  
amended to read as follows:

Section 981. ~~Short Title and Purposes of Act.~~

A. Sections 981 through 998 of this title and Sections 22, 23  
and 24 of this act shall constitute a part of the Oklahoma Insurance  
Code and shall be known and may be cited as the "Property and  
Casualty Competitive Loss Cost Rating Act".

B. The purposes of the Property and Casualty Competitive Loss  
Cost Rating Act are:

1. To promote price competition among insurers so as to provide  
rates that are responsive to competitive market conditions;

- 1        2. To protect policyholders and the public against the adverse  
2 effects of excessive, inadequate or unfairly discriminatory rates;
- 3        3. To prohibit unlawful price-fixing agreements and other  
4 anticompetitive behavior by insurers;
- 5        4. To provide regulatory procedures for the maintenance of  
6 appropriate data reporting systems;
- 7        5. To provide regulatory controls ~~in the absence of a~~  
8 ~~competitive marketplace~~; and
- 9        6. To authorize essential cooperative action among insurers in  
10 the ratemaking process and to regulate such activity to prevent  
11 practices that substantially lessen competition or create a  
12 monopoly.

13        SECTION 2.        AMENDATORY        36 O.S. 2021, Section 982, is  
14 amended to read as follows:

15        Section 982. ~~Definitions.~~

16        As used in the Property and Casualty Competitive Loss Cost  
17 Rating Act:

18        1. "Accepted actuarial standards" means the standards adopted  
19 by the Casualty Actuarial Society Statement of Principles regarding  
20 property and casualty ratemaking or the Standards of Practice  
21 adopted by the Actuarial Standards Board;

22        2. "Advisory organization" means any corporation,  
23 unincorporated association, partnership or person, whether located  
24 inside or outside this state, that is licensed in accordance with

1 Section 1140 of this title and which assists insurers in ratemaking-  
2 related activities such as enumerated in Section 1142 of this title;

3 3. "Classification system" or "classification" means the  
4 process of grouping risks with similar risk characteristics so that  
5 differences in costs may be recognized;

6 4. "Commercial risk" means any kind of risk that is not a  
7 personal risk;

8 5. "Commissioner" means the Commissioner of Insurance of this  
9 state;

10 6. ~~"Competitive market" means a market which has not been found~~  
11 ~~to be noncompetitive pursuant to Section 984 of this title;~~

12 ~~7.~~ "Developed losses" means losses, including loss adjustment  
13 expenses, adjusted using accepted actuarial standards, to eliminate  
14 the effect of differences between current payment or reserve  
15 estimates and those which are anticipated to provide actual ultimate  
16 loss, including loss adjustment expense payments;

17 ~~8.~~ 7. "Expenses" means that portion of a rate attributable to  
18 acquisition, field supervision, collection expenses, general  
19 expenses, taxes, licenses and fees;

20 ~~9.~~ 8. "Experience rating" means a rating procedure utilizing  
21 past insurance experience of the individual policyholder to forecast  
22 future losses by measuring the policyholder's loss experience  
23 against the loss experience of policyholders in the same  
24

1 classification to produce a prospective premium credit, debit or  
2 unity modification;

3 ~~10.~~ 9. "Joint underwriting" means a voluntary arrangement  
4 established to provide insurance coverage for a risk pursuant to  
5 which two or more insurers jointly contract with the insured at a  
6 price and under policy terms agreed upon between the insurers;

7 ~~11.~~ 10. "Loss adjustment expense" means the expenses incurred  
8 by the insurer in the course of settling claims;

9 ~~12.~~ 11. "Market" means the statewide interaction between buyers  
10 and sellers of identical or readily substitutable products that  
11 provide insurance protection of identifiable perils to buyers;

12 ~~13.~~ 12. "Mass marketed plan" means a method of selling  
13 property-liability insurance wherein the insurance is offered to  
14 employees of particular employers or to members of particular  
15 associations or organizations or to persons grouped in other ways,  
16 and the employer or association or other organization has agreed to,  
17 or otherwise affiliated itself with, the sale of such insurance to  
18 its employees or members;

19 ~~14. "Noncompetitive market" means a market for which there is a~~  
20 ~~ruling in effect pursuant to Section 984 of this title that a~~  
21 ~~reasonable degree of competition does not exist;~~

22 ~~15.~~ 13. "Personal risk" means homeowners, tenants, private  
23 passenger nonfleet automobiles, manufactured homes and other  
24 property and casualty insurance for personal, family or household

1 needs, including any property and casualty insurance that is  
2 otherwise intended for noncommercial coverage;

3 ~~16.~~ 14. "Pool" means a voluntary arrangement, established on an  
4 ongoing basis, pursuant to which two or more insurers participate in  
5 the sharing of risks on a predetermined basis. The pool may operate  
6 through an association, syndicate or other pooling agreement;

7 ~~17.~~ 15. "Prospective loss costs" means historical aggregate  
8 losses and may include loss adjustment expenses, including all  
9 assessments that are loss based, projected through development to  
10 their ultimate value and through trending to a future point in time;

11 ~~18.~~ 16. "Pure premium rate" means that portion of the rate  
12 which represents the loss costs per unit of exposure including loss  
13 adjustment expense;

14 ~~19.~~ 17. "Rate" or "rates" means that cost of insurance per  
15 exposure unit whether expressed as a single number or as a  
16 prospective loss cost with an adjustment to account for the  
17 treatment of expenses, profit, and individual insurer variation in  
18 loss experience, prior to any application of individual risk  
19 variations based on loss or expense considerations, and does not  
20 include minimum premium;

21 ~~20.~~ 18. "Residual market mechanism" means an arrangement,  
22 either voluntary or mandated by law, involving participation by  
23 insurers in the equitable apportionment among them of insurance  
24

1 which may be afforded applicants who are unable to obtain insurance  
2 through ordinary methods;

3 ~~21.~~ 19. "Special assessments" means guaranty fund assessments,  
4 Special Indemnity Fund assessments, Vocational Rehabilitation Fund  
5 assessments, and other similar assessments. Special assessments  
6 shall not be considered as either expenses or losses;

7 ~~22.~~ 20. "Statistical plan" means the plan, system or  
8 arrangement used in collecting data;

9 ~~23.~~ 21. "Supplementary rating information" means any manual or  
10 plan of rates, classification, rating schedule, minimum premium,  
11 policy fee rating rule and any other information needed to determine  
12 the applicable premium in effect or to be in effect. This includes,  
13 rating plans, territory codes and descriptions and rules which  
14 include factors or relativities such as increased limits factors,  
15 deductible discounts or relativities, classification relativities or  
16 similar factors used to determine the rate in effect or to be in  
17 effect;

18 ~~24.~~ 22. "Supporting information" means the experience and  
19 judgment of the filer and the experience or data of other insurers  
20 or advisory organizations relied upon by the filer, the  
21 interpretation of any other data relied upon by the filer,  
22 descriptions of methods used in making the rates and any other  
23 information required by the Commissioner to be filed; and  
24

1       ~~25.~~ 23. "Trending" means any procedure for projecting losses to  
2 the average date of loss, or premiums or exposures to the average  
3 date of writing, for the period during which the policies are to be  
4 effective.

5       SECTION 3.       AMENDATORY       36 O.S. 2021, Section 985, is  
6 amended to read as follows:

7       Section 985. ~~Rate-making Standards.~~

8       A. A rate ~~may~~ shall not be excessive, inadequate, or unfairly  
9 discriminatory.

10       1. ~~No rate in a competitive market may be determined to be~~  
11 ~~excessive. A rate in a noncompetitive market may be determined to~~  
12 ~~be excessive if it is likely to produce a profit that is~~  
13 ~~unreasonably high for the insurance provided~~ A rate may be  
14 determined to be excessive if it is unreasonably high for the  
15 insurance provided or is unreasonably high in relation to the  
16 services rendered.

17       2. A rate ~~may~~ shall not be determined to be inadequate unless:  
18       a. the rate is clearly insufficient to sustain projected  
19       losses, expenses and special assessments, and  
20       b. the rate is unreasonably low and use of the rate by  
21       the insurer has tended or, if continued, will tend to  
22       create a monopoly in the market.

23       3. Unfair discrimination may be determined to exist if, after  
24 allowing for practical limitations, price differentials fail to

1 reflect equitably the differences in expected losses and expenses.

2 A rate ~~may~~ shall not be determined to be unfairly discriminatory

3 because different premiums result for policyholders with like loss

4 exposures but different expense levels, or like expenses but

5 different loss exposures, or if it averaged broadly among persons

6 insured within a group, franchise or blanket policy or a mass-

7 marketed plan. No rate ~~in a competitive market~~ shall be considered

8 unfairly discriminatory unless it classifies risk on the basis of

9 race, color, creed, ~~or~~ national origin, or religion.

10 B. In determining whether rates ~~in a noncompetitive market~~ are  
11 excessive, inadequate, or unfairly discriminatory, due consideration  
12 may be given to:

13 1. Past and prospective loss experience within and outside this  
14 state, in accordance with accepted actuarial principles;

15 2. Conflagration and catastrophe hazards;

16 3. A reasonable margin for underwriting profit and  
17 contingencies;

18 4. Loadings for leveling premium rates over time for dividends,  
19 savings or unabsorbed premium deposits allowed or returned by  
20 insurers to their policyholders, members or subscribers;

21 5. Past and prospective expenses both countrywide and those  
22 specially applicable to this state; and

23 6. Provisions for special assessments, and to all other  
24 relevant factors including judgment within and outside this state.

1 C. Risks may be grouped by classifications for the  
2 establishment of rates and minimum premiums. Classification rates  
3 may be modified to produce rates for individual risks in accordance  
4 with rating plans which establish standards for measuring variations  
5 in hazards or expense provisions, or both. Such standards may  
6 measure any differences among risks that can be demonstrated to have  
7 a probable effect upon losses or expenses. No risk classification  
8 however, ~~may~~ shall be based on race, color, creed, national origin,  
9 or the religion of the insured.

10 D. The expense provisions included in the rates for use by an  
11 insurer or group of insurers may differ from those of any other  
12 insurer or group of insurers to reflect the requirements of the  
13 operating methods of the insurer or group of insurers.

14 E. The rates may contain provision for contingencies and an  
15 allowance permitting a reasonable profit. In determining the  
16 reasonableness of the profit, consideration shall be given to the  
17 investment income attributable to the line of insurance.

18 F. Risks may be classified in any way except that no risk may  
19 be classified on the basis of race, color, creed, ~~or~~ national  
20 origin, or religion of the insured.

21 SECTION 4. AMENDATORY 36 O.S. 2021, Section 986, is  
22 amended to read as follows:

23 Section 986. ~~Rate Administration.~~  
24

1       A. ~~In only those markets found to be noncompetitive pursuant to~~  
2 ~~Section 984 of this title, insurers~~ Insurers and advisory  
3 organizations shall file with the Insurance Commissioner and the  
4 Commissioner shall review reasonable rules and plans for recording  
5 and reporting ~~their~~ the insurers and advisory organizations rates,  
6 loss and expense experience and other information determined by the  
7 Commissioner to be necessary or appropriate for the administration  
8 of the Property and Casualty Competitive Loss Cost Rating Act. The  
9 Commissioner may designate one or more advisory organizations or  
10 other agencies to assist in gathering such experience and ~~making~~  
11 ~~compilation thereof~~ compiling such information.

12       B. Reasonable rules and plans may be promulgated by the  
13 Commissioner for the exchange of data necessary for the development  
14 and application of rating plans.

15       C. In order to further uniform administration of rate  
16 regulatory laws, the Commissioner and every insurer and advisory  
17 organization may exchange information and experience data with  
18 insurance supervisory officials, insurers, and advisory  
19 organizations in other states and may consult with them with respect  
20 to the application of rating systems.

21       D. Cooperation among advisory organizations or among advisory  
22 organizations and insurers in ratemaking or in other matters within  
23 the scope of the Property and Casualty Competitive Loss Cost Rating  
24 Act ~~is~~ shall be authorized. The Commissioner may review such

1 cooperative activities and practices, and if, after a hearing, any  
2 such activity or practice is found to violate the provisions of the  
3 Property and Casualty Competitive Loss Cost Rating Act, a written  
4 order may be issued specifying that such activity or practice  
5 violates the provisions of this act and requiring the discontinuance  
6 of such activity.

7 SECTION 5. AMENDATORY 36 O.S. 2021, Section 987, is  
8 amended to read as follows:

9 Section 987. ~~Rate Filings.~~

10 A. ~~In a competitive market, every~~ Every insurer shall file with  
11 the Insurance Commissioner all rates and supplementary rate  
12 information, and any additional information requested by the  
13 Commissioner, to be used in this state ~~no later than thirty (30)~~  
14 ~~days after~~ at least sixty (60) calendar days prior to the effective  
15 date; provided, that the rates and supplementary rate information  
16 need not be filed for commercial risks, which by general custom are  
17 not written according to manual rules or rating plans.

18 B. ~~In a noncompetitive market, every insurer shall file with~~  
19 ~~the Commissioner all rates, supplementary rate information and~~  
20 ~~supporting information at least thirty (30) days before the proposed~~  
21 ~~effective date.~~ The Commissioner may give written notice, within  
22 ~~thirty (30)~~ sixty (60) days of receipt of the filing, that the  
23 Commissioner needs additional time, not to exceed ~~thirty (30)~~ sixty  
24 (60) days from the date of the notice to consider the filing. Upon

1 written application of the insurer, the Commissioner may authorize  
2 rates to be effective before the expiration of the waiting period or  
3 an extension ~~thereof~~ of the waiting period. A filing shall be  
4 deemed to meet the requirements of the Property and Casualty  
5 Competitive Loss Cost Rating Act and to become effective unless  
6 disapproved pursuant to this title by the Commissioner before the  
7 expiration of the waiting period or an extension ~~thereof~~ of the  
8 waiting period.

9 ~~In a noncompetitive market, the filing shall be deemed in~~  
10 ~~compliance with the filing provision of this section unless the~~  
11 ~~Commissioner informs the insurer within ten (10) days after receipt~~  
12 ~~of the filings as to what supplementary rate information or~~  
13 ~~supporting information is required to complete the filing.~~

14 C. Every authorized insurer shall file with the Commissioner,  
15 except as to rates for those lines of insurance exempted from the  
16 provisions of the Property and Casualty Competitive Loss Cost Rating  
17 Act by the Commissioner under subsections E and F of this section  
18 and except for those risks designated as special risks under Section  
19 997 of this title, all rates, supplementary rate information, any  
20 additional information requested by the Commissioner, and any  
21 changes and amendments which it proposes to use. An insurer may  
22 file its rates by either filing its final rates or by filing a  
23 multiplier and, if applicable, an expense constant adjustment to be  
24 applied to prospective loss costs that have been filed by an

1 advisory organization as permitted by this title. Such loss cost  
2 multiplier filing and expense constant filings made by insurers  
3 shall remain in effect until amended or withdrawn by the insurer.  
4 Every filing shall state the effective date.

5 D. Under rules as may be adopted, the Commissioner may, by  
6 written order, suspend or modify the requirement of filing as to any  
7 kind of insurance, subdivision or combination ~~thereof~~, or as to  
8 classes of risks.

9 E. Notwithstanding any other provision of the Property and  
10 Casualty Competitive Loss Cost Rating Act, ~~upon:~~

11 1. Upon the written consent of the insured in a separate  
12 written document, a rate in excess of that determined in accordance  
13 with the other provisions of the Property and Casualty Competitive  
14 Loss Cost Rating Act may be used on a specific risk; and

15 2. Whenever a filing has an overall rate impact of more than  
16 fifteen percent (15%), inclusive of any rate adjustments, add-ons,  
17 deductibles, or deviations in a twelve-month period to an existing  
18 rate, the Commissioner may hold a hearing to determine if such  
19 change is excessive. The burden shall be on the insurer to show  
20 that such rate is not excessive, and the rate shall not become  
21 effective until approved by the Commissioner.

22 F. A filing and any supporting information required to be filed  
23 shall be open to public inspection ~~once the filing becomes effective~~  
24 except information marked confidential, trade secret, or proprietary

1 by the insurer or filer ~~and except the filings of an advisory~~  
2 ~~organization which shall be open to public inspection upon the~~  
3 ~~received date of the rate, loss cost, or manual rule change.~~ The  
4 insurer or filer shall have the burden of asserting to the  
5 Commissioner that a filing and supporting information are  
6 confidential, upon the request of the Commissioner. The  
7 Commissioner may disapprove of the insurer's request for  
8 confidential filing status.

9 SECTION 6. AMENDATORY 36 O.S. 2021, Section 989, is  
10 amended to read as follows:

11 Section 989. ~~Improper Rates; Disapproval; Hearing.~~

12 A. ~~Basis for disapproval.~~

13 ~~1.~~ The Insurance Commissioner shall disapprove a rate ~~in a~~  
14 ~~competitive market only~~ if the Commissioner finds, pursuant to  
15 subsection B of this section, that the rate is excessive,  
16 inadequate, or unfairly discriminatory pursuant to Section 985 of  
17 this title.

18 ~~2.~~ ~~The Commissioner may disapprove a rate for use in a~~  
19 ~~noncompetitive market only if the Commissioner finds, pursuant to~~  
20 ~~subsection B of this section, that the rate is excessive, inadequate~~  
21 ~~or unfairly discriminatory under this subsection.~~

22 B. ~~Procedures for disapproval.~~ 1. Prior to the expiration of  
23 a waiting period or an extension thereof of the waiting period, made  
24 pursuant to subsection B of Section 987 of this title, the

1 Commissioner may disapprove, by written order, rates filed pursuant  
2 to subsection B of Section 987 of this title with notice and  
3 opportunity for a hearing. The order shall specify in what respects  
4 the filing fails to meet the requirements of this act. Any insurer  
5 whose rates are disapproved pursuant to this section shall be given  
6 a hearing upon written request made within thirty (30) days of  
7 disapproval.

8 2. If, at any time after a rate is effective, the Commissioner  
9 finds that a rate applicable to insurance ~~sold in a noncompetitive~~  
10 ~~market~~ does not comply with the standards set forth in Section 985  
11 of this title, the Commissioner may, after a hearing held upon not  
12 less than twenty (20) days' written notice, issue an order ~~pursuant~~  
13 ~~to subsection C of this section~~, disapproving such rate. The  
14 hearing notice shall be sent to every insurer and advisory  
15 organization that adopted the rate and shall specify the matters to  
16 be considered at the hearing. ~~The disapproval order shall not~~  
17 ~~affect any contract or policy made or issued prior to the effective~~  
18 ~~date set forth in the order~~ If a rate is found to be excessive or  
19 discriminatory, the Commissioner may order a return of premium to  
20 policyholders which shall include interest accrued at an annual rate  
21 equal to the average United States Treasury Bill rate of the  
22 preceding calendar year as certified by the State Treasurer on the  
23 first regular business day in January of each year, plus four (4)  
24 percentage points.

1       ~~3. If, at any time, the Commissioner finds that a rate~~  
2 ~~applicable to insurance sold in a competitive market is inadequate~~  
3 ~~or unfairly discriminatory under paragraph 2 or 3 of subsection A of~~  
4 ~~Section 985 of this title, the Commissioner may issue an order~~  
5 ~~pursuant to subsection C of this section disapproving the rate. The~~  
6 ~~order shall not affect any contract or policy made or issued prior~~  
7 ~~to the effective date set forth in the order.~~

8       ~~C. Order of disapproval.~~

9       ~~If the Commissioner disapproves a rate pursuant to subsection B~~  
10 ~~of this section, the Commissioner shall issue an order within thirty~~  
11 ~~(30) days of the close of the hearing specifying in what respects~~  
12 ~~the rate fails to meet the requirements of this act. The order~~  
13 ~~shall state an effective date no sooner than thirty (30) business~~  
14 ~~days after the date of the order when the use of the rate shall be~~  
15 ~~discontinued. This order shall not affect any policy made before~~  
16 ~~the effective date of the order.~~

17       ~~D. Appeal of orders and establishment of reserves.~~

18       If an order of disapproval is appealed pursuant to Section 990  
19 of this title, the insurer may implement the disapproved rate upon  
20 notification to the court, in which case any excess of the  
21 disapproved rate over a rate previously in effect, in addition to  
22 any interest applicable pursuant to the provisions of paragraph 2 of  
23 subsection B of this section, shall be placed in a reserve  
24 established by the insurer. The court shall have control over the

1 disbursement of funds from such reserve. The funds shall be  
2 distributed as determined by the court in its final order except  
3 that de minimus refunds to policyholders shall not be required.

4 ~~E.~~ D. All determinations made by the Commissioner under this  
5 section shall be on the basis of findings of fact and conclusions of  
6 law.

7 SECTION 7. AMENDATORY 36 O.S. 2021, Section 994, is  
8 amended to read as follows:

9 Section 994. ~~Advisory Organizations; Filing Requirements.~~

10 Every advisory organization shall file with the Insurance  
11 Commissioner for approval every statistical plan, all prospective  
12 loss costs, provisions for special assessments and all supplementary  
13 rating information, any additional information requested by the  
14 Commissioner, and every change or amendment or modification of any  
15 of ~~the foregoing~~ such information proposed for use in this state at  
16 least ~~thirty (30)~~ sixty (60) days prior to its effective date. The  
17 Commissioner may give written notice, within sixty (60) days of  
18 receipt of the filing that the Commissioner needs additional time,  
19 not to exceed sixty (60) days from the date of the notice to  
20 consider filing. Such filings ~~will~~ shall be deemed approved unless  
21 disapproved within the waiting period.

22 SECTION 8. AMENDATORY 36 O.S. 2021, Section 995, as  
23 amended by Section 1, Chapter 304, O.S.L. 2022 (36 O.S. Supp. 2025,  
24 Section 995), is amended to read as follows:

1 Section 995. ~~Joint Underwriting, Joint Reinsurance Pool and~~  
2 ~~Residual Market Activities.~~

3 A. Notwithstanding paragraph 3 of subsection A of Section 992  
4 of this title, insurers participating in joint underwriting, joint  
5 reinsurance pools, or residual market mechanisms may in connection  
6 with such activity act in cooperation with each other in the making  
7 of rates, rating systems, policy forms, underwriting rules, surveys,  
8 inspections and investigations, the furnishing of loss and expense  
9 statistics or other information, or carrying on research. Joint  
10 underwriting, joint reinsurance pools, and residual market  
11 mechanisms shall not be deemed an advisory organization.

12 B. Except to the extent modified by this section, joint  
13 underwriting, joint reinsurance pool, and residual market mechanism  
14 activities ~~are~~ shall be subject to the other provisions of the  
15 Property and Casualty Competitive Loss Cost Rating Act.

16 C. If, after a hearing, the Insurance Commissioner finds that  
17 any activity or practice of an insurer participating in joint  
18 underwriting or a pool is unfair, is unreasonable, will tend to  
19 lessen competition in any market, or is otherwise inconsistent with  
20 the provisions or purposes of the Property and Casualty Competitive  
21 Loss Cost Rating Act, the Commissioner ~~may~~ shall issue a written  
22 order and require the discontinuance of such activity or practice.

23 D. Every pool shall file with the Commissioner a copy of ~~its~~  
24 the pool's constitution, articles of incorporation, agreement or

1 association, bylaws, rules and regulations governing ~~its~~ the pool's  
2 activities, list of members, the name and address of a resident of  
3 this state upon whom notice, orders of the Commissioner, or process  
4 may be served, and any changes in amendments or changes in ~~the~~  
5 ~~foregoing~~ such information.

6 E. Any residual market mechanism, plan or agreement to  
7 implement such a mechanism, and any changes or amendments ~~thereto,~~  
8 shall be submitted in writing to the Commissioner for consideration  
9 and approval, together with such information as may be reasonably  
10 required.

11 SECTION 9. REPEALER 36 O.S. 2021, Sections 984 and  
12 985.1, are hereby repealed.

13 SECTION 10. This act shall become effective November 1, 2026.

14  
15 60-2-3787 CAD 3/5/2026 8:42:55 AM  
16  
17  
18  
19  
20  
21  
22  
23  
24