

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2118

By: McEntire

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6 AS INTRODUCED

7 An Act relating to insurance; prohibiting insurers  
8 from requiring certain claims be submitted within  
9 certain time period; providing certain actions  
10 constitute an unfair claims settlement practice;  
11 providing exception; specifying applicability of  
12 provisions to insurance policies issued on or after  
13 effective date; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1250.8A of Title 36, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. Except as otherwise provided by this section, an insurer  
19 subject to the provisions of the Unfair Claims Settlement Practices  
20 Act shall not require a policyholder to submit a claim for damage to  
21 a roof of a single family residence, including total replacement,  
22 within three (3) years from the date of loss nor deny a claim based  
23 on the defense that the claim was submitted within three (3) years.  
24 Any violations to the requirements of this subsection shall  
constitute an unfair practice for purposes of the Unfair Claims  
Settlement Practices Act.

1 B. The provisions of subsection A of this section shall not be  
2 applicable if the failure to pay the claim is based on a good-faith  
3 defense that the loss was not covered under the policy of insurance  
4 or otherwise not payable pursuant to the terms of the insurance  
5 policy.

6 C. The provisions of this section shall be applicable to  
7 insurance policies issued on or after the effective date of this  
8 act.

9 SECTION 2. This act shall become effective November 1, 2021.

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