

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3443

By: Dills

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5
6 AS INTRODUCED

7 An Act relating to foster children; permitting
8 landlord to enter into rental agreement with certain
9 minors; amending 36 O.S. 2011, Section 3606, which
10 relates to insurance; directing that certain minors
11 not be required to have adult cosigner; providing for
12 codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 113.3 of Title 41, unless there
16 is created a duplication in numbering, reads as follows:

17 A. A landlord shall be permitted to enter into a rental
18 agreement with a minor who is not less than sixteen (16) years old
19 who is in the custody of the Department of Human Services. Such
20 minors shall not, by reason of minority, be entitled to rescind,
21 avoid or repudiate the rental agreement.

22 B. By entering into a lease agreement with a minor under
23 subsection A of this section, the landlord does not assume
24 responsibility for the care and custody of the child; provided

1 however, the landlord shall not be excused from liability as
2 provided in Section 113 of Title 41 of the Oklahoma Statutes.

3 SECTION 2. AMENDATORY 36 O.S. 2011, Section 3606, is
4 amended to read as follows:

5 Section 3606. A. Any person of competent legal capacity may
6 contract for insurance.

7 B. A minor not less than fifteen (15) years of age as at
8 nearest birthday may, notwithstanding such minority, contract for
9 life or accident and health insurance on his own life or body or the
10 life or body of any person in whom he has an insurable interest, for
11 his own benefit or for the benefit of his father or mother, spouse,
12 child, brother, sister or grandparents. Such a minor shall,
13 notwithstanding such minority, be deemed competent to exercise all
14 rights and powers with respect to or under any contract of life or
15 accident and health insurance on his own life or body or with
16 respect to or under any contract such minor effected on the life or
17 body of any person in whom he has an insurable interest, as though
18 of full legal age, and may surrender his interest therein and give a
19 valid discharge for any benefit accruing or money payable
20 thereunder. The minor shall not, by reason of his minority, be
21 entitled to rescind, avoid or repudiate the contract, nor to
22 rescind, avoid or repudiate any exercise of a right or privilege
23 thereunder, except that such minor, not otherwise emancipated, shall

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1 not be bound by any unperformed agreement to pay, by promissory note
2 or otherwise, any premium on any such insurance contract.

3 C. A minor not less than sixteen (16) years of age may,
4 notwithstanding such minority, contract for insurance on other
5 subjects of insurance in which he has an insurable interest. A
6 minor shall be bound by any settlement made in connection with any
7 insurance contract so issued. The minor shall not, by reason of his
8 minority, be entitled to rescind, avoid or repudiate the contract,
9 nor to rescind, avoid or repudiate any exercise of a right or
10 privilege thereunder, except that such minor, not otherwise
11 emancipated, shall not be bound by any unperformed agreement to pay,
12 by promissory note or otherwise, any premium on any such insurance
13 contract. A minor not less than sixteen (16) years of age, who is
14 in the custody of the Department of Human Services, shall not be
15 required to have an adult cosigner to contract for motor vehicle
16 insurance.

17 SECTION 3. This act shall become effective November 1, 2020.

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