

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 371 By: Quinn of the Senate
3 and
4 Coody of the House
5
6

7 [fire insurance - reduced rates - unlawful acts -
8 effective date]
9

10 AMENDMENT NO. 1. Replace the stricken title, enacting clause and
11 entire bill and insert

12 "An Act relating to fire insurance; amending 36 O.S.
13 2011, Section 4809, which relates to reduced rates
14 to persons failing or refusing to pay assessments;
15 modifying certain unlawful act; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 36 O.S. 2011, Section 4809, is
19 amended to read as follows:

20 Section 4809. A. No property or casualty insurance company
21 shall give any special or reduced rate for fire insurance on any
22 risk because it is located in a rural fire protection district or in
23 an area protected by a rural fire department in which the district
24 or department is wholly or partially funded by dues or subscription

1 payments paid by owners of property who are members of an
2 association supporting the rural fire department to any person who
3 fails or refuses to pay the appropriate dues or subscription
4 payments for support of the district or department pursuant to the
5 procedure outlined in subsection C of this section.

6 B. Property owners owning property in more than one fire
7 district or fire department area relying on dues or subscriptions
8 for partial or complete funding shall pay dues to a fire district or
9 fire department in whose district or area they own property if they
10 wish to receive special or reduced rates for property and casualty
11 insurance.

12 C. It is unlawful for any insurance agent or company to
13 knowingly write an initial policy of fire insurance coverage or to
14 ~~rewrite~~ renew such a policy on any risk located in a rural fire
15 protection district or in any area protected by a rural fire
16 department at any special or reduced rate or with any rate credit
17 based on location of the risk in the district or area without having
18 first obtained from the insured or from the rural fire protection
19 district or rural fire department evidence that current dues or
20 subscription payments, if any, for the property to be insured have
21 been paid. The evidence required by the insurer may be a receipt,
22 canceled check, or other valid proof of payment.

23 D. If any agent is found by the Insurance Commissioner to have
24 violated the provisions of this subsection, the agent shall be

1 liable for an administrative penalty of Twenty-five Dollars (\$25.00)
2 for the first violation and Fifty Dollars (\$50.00) for any
3 subsequent violation.

4 SECTION 2. This act shall become effective November 1, 2017."

5 Passed the House of Representatives the 17th day of April, 2017.

6

7

8

Presiding Officer of the House of
Representatives

9

10 Passed the Senate the ____ day of _____, 2017.

11

12

13

Presiding Officer of the Senate

14

15

16

17

18

19

20

21

22

23

24

1 ENGROSSED SENATE
2 BILL NO. 371

By: Quinn of the Senate

and

Coody of the House

3
4
5
6 [fire insurance - reduced rates - unlawful acts -
7 effective date]
8

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

10 SECTION 3. AMENDATORY 36 O.S. 2011, Section 4809, is
11 amended to read as follows:

12 Section 4809. A. No property or casualty insurance company
13 shall give any special or reduced rate for fire insurance on any
14 risk because it is located in a rural fire protection district or in
15 an area protected by a rural fire department in which the district
16 or department is wholly or partially funded by dues or subscription
17 payments paid by owners of property who are members of an
18 association supporting the rural fire department to any person who
19 fails or refuses to pay the appropriate dues or subscription
20 payments for support of the district or department pursuant to the
21 procedure outlined in subsection C of this section.

22 B. Property owners owning property in more than one fire
23 district or fire department area relying on dues or subscriptions
24 for partial or complete funding shall pay dues to a fire district or

1 fire department in whose district or area they own property if they
2 wish to receive special or reduced rates for property and casualty
3 insurance.

4 C. It is unlawful for any insurance agent or company to
5 knowingly write an initial policy of fire insurance coverage or to
6 ~~rewrite~~ renew such a policy on any risk located in a rural fire
7 protection district or in any area protected by a rural fire
8 department at any special or reduced rate or with any rate credit
9 based on location of the risk in the district or area without having
10 first obtained from the insured or from the rural fire protection
11 district or rural fire department evidence that current dues or
12 subscription payments, if any, for the property to be insured have
13 been paid. The evidence required by the insurer may be a receipt,
14 canceled check, or other valid proof of payment.

15 D. If any agent is found by the Insurance Commissioner to have
16 violated the provisions of this subsection, the agent shall be
17 liable for an administrative penalty of Twenty-five Dollars (\$25.00)
18 for the first violation and Fifty Dollars (\$50.00) for any
19 subsequent violation.

20 SECTION 4. This act shall become effective November 1, 2017.
21
22
23
24

