

1 ENGROSSED SENATE  
2 BILL NO. 670

By: Brown of the Senate

3 and

4 Moore of the House

5  
6 [ property insurance - policy limitations and  
7 liability - effective date ]  
8

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

10 SECTION 1. AMENDATORY 36 O.S. 2011, Section 4804, is  
11 amended to read as follows:

12 Section 4804. ~~No~~ Except as provided herein, no insurance  
13 company shall, knowingly, issue any fire insurance policy upon  
14 property within this state for an amount which, ~~with any existing~~  
15 ~~insurance thereon,~~ exceeds the ~~fair value~~ replacement cost of the  
16 property. If buildings insured against loss by fire, and situated  
17 within this state, are totally destroyed by fire, the company shall  
18 not be liable beyond the ~~actual value~~ replacement cost of the  
19 insured property at the time of the loss or damage, and if it shall  
20 appear that the insured has paid premiums on an amount in excess of  
21 ~~said actual value~~ the replacement cost, the ~~assured~~ insured shall be  
22 reimbursed the proportionate excess of premiums paid on the  
23 difference between the ~~amount named in the policy and said actual~~  
24 ~~value~~ limit identified on the declaration page of the policy or

1 renewal certificate and the replacement cost, with interest at six  
2 percent (6%) per annum from the date ~~of issue~~ the amount named in  
3 the policy exceeded the estimated replacement value of the property,  
4 as adjusted for inflation and cost increases, up until the time of  
5 total loss by fire. This section shall not be applicable where the  
6 insured voluntarily insures the property in excess of the estimated  
7 replacement value.

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

9 Passed the Senate the 28th day of February, 2017.

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11 \_\_\_\_\_  
12 Presiding Officer of the Senate

13 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
14 2017.

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16 \_\_\_\_\_  
17 Presiding Officer of the House  
18 of Representatives