



**OKLAHOMA**  
**INSURANCE**  
DEPARTMENT

2024 STATUTE & RULE CHANGES



# CONTENTS

## REGULATORY COMPLIANCE / INSURER OPERATIONS

SB 541	Service Warranty & Vehicle Value Protection Products	3
SB 542	2023 Omnibus Bill	3
SB 543	Insurance Data Security	3
SB 620	Captives	4
SB 1941	Bail Bondsman Omnibus Bill	4
HB 1979	Prepaid Vision Plans	5
HB 3091	2024 Omnibus Bill	5

## STATE GOVERNMENT / INSURANCE DEPARTMENT OPERATIONS

HB 3089	Strengthen Oklahoma Homes Act	6
---------	-------------------------------	---

## RULES

CH 1	Administrative Operations	7
CH 10	Life, Accident and Health	7
CH 15	Property and Casualty	7
CH 25	Other Licensees	7

# Regulatory Compliance/ Insurer Operations

## SB 541

Service Warranty & Vehicle Value Protection Products  
Effective November 1, 2024

15 O.S. §§ 140.4, 140.5, 141.4, 141.5, 141.8, 141.13, 141.14, and 141.33

- SB 541 adds a registration process for Administrators who sell debt waivers and vehicle value protection products. It also sets a response timeframe of twenty (20) days for the entity to respond to requests made by the Department. The measure also adds a 90-day reinstatement period for Service Warranty licensees submitting a renewal and prescribes the process for those that allow their license to expire for more than 90 days.

## SB 542

2023 Omnibus Bill  
Effective November 1, 2024

36 O.S. §§ 107.3, 109, 307, 307.1, 312A, 313, 319, 322, 323, 332, 350, 606.1, 907, 908, 924.1, 1641, 6124.1, and 6652

- SB 542 requires electronic filings with the Insurance Department to include payment of any transaction, filing, or other applicable fees. The measure also authorizes the Insurance Commissioner to approve an insurer's redomestication application without first holding a public hearing, but denial of redomestication will still require a public hearing before becoming final. Additionally, the measure requires insurers to keep any contact information deemed necessary by the Commissioner on file with the Insurance Department and submit any changes to such information within 20 days of the change.

## SB 543

Insurance Data Security  
Effective July 1, 2024

36 O.S. §§ 670 *et seq.*

- SB 543 creates the Insurance Data Security Act. The measure requires each licensee of the Insurance Department to develop, implement, and maintain a comprehensive written information security program based on the risk assessment of the licensee. The licensee shall provide the assessment and designate an employee to act on behalf of the licensee who is responsible for the information security program.

The program shall be designed to address risks identified in the assessment, design security measures addressing areas of access and auditing systems, remain informed of developments in cybersecurity, and train personnel. The measure requires any board of directors licensed by the Department to implement, oversee, and/or delegate oversight of the program within 1 year of the effective date. Third-party vendors must be chosen with due diligence. Licensees shall also be required to establish a written incident response plan for any cybersecurity event. Insurers shall be required to submit a written statement affirming their compliance with the provisions of this measure before March 1 of each year as well as maintain records for examination by the Department for a period not less than 5 years. Records submitted to the Commissioner shall be kept confidential and are not subject to the Oklahoma Open Records Act. The Commissioner is authorized to share records and information if needed with relevant state, federal, and international regulatory agencies as well as the National Association of Insurance Commissioners and its affiliates.

If a cybersecurity event occurs, the licensee must conduct a prompt investigation of the event and maintain a record of the event for no less than 5 years. A cybersecurity event shall not include the unauthorized acquisition of encrypted nonpublic information if the encryption, process, or key is not also acquired, released, or used without authorization. The Commissioner must be notified within 3 days of a cybersecurity event occurring as well as how the event was discovered and occurred. If nonpublic information was accessed, the licensee shall comply with the notification provisions provided for by the Security Breach Notification Act. The measure exempts any licensee with less than \$5 million in gross annual revenue or subject to the Health Insurance Portability and Accountability Act and the Gramm-Leach-Bliley Act from certain provisions within this measure. Licensees that lose their exemption status shall have 180 days to comply with the provisions of this measure.

## SB 620

Captives

Effective November 1, 2024

### 18 O.S. § 1031

- SB 620 updates the Limited Liability Company Act, the provisions in Section 1031 allow an Oklahoma Corporation to form a Captive Insurer for the purposes of D&O Coverage.

## SB 1941

Bail Bondsman Omnibus Bill

Effective November 1, 2024

### 59 O.S. § 1311.3, 1327, and 1332

- SB 1941 adds clarifying language to the measure relating to unlicensed individuals presenting themselves or acting as bail bondsmen. It provides that when a bondsman has guaranteed travel expenses to return a defendant to custody the law enforcement agency that placed the hold shall promptly advise the bondsman of a hit confirmation. Prior to transporting the

defendant, the relevant law enforcement agency may provide the bondsman a good faith estimate of the reasonable return expenses to return the defendant to custody. The bondsman may refuse to pay the travel expenses, upon which the defendant shall not be considered returned to custody and the law enforcement agency may release its hold.

## HB 1979

Prepaid Vision Plans  
Effective May 30, 2024

### 36 O.S. §§ 6972 *et seq.*

- HB 1979 imposes requirements with respect to agreements between pre-paid vision care plans and service providers and sets standards for reimbursement on certain pricing of materials or services. It also prescribes an application process, sets financial requirements, and requires an annual report to ensure solvency of any organization doing business under this new act.

## HB 3091

2024 Omnibus Bill  
Effective November 1, 2024

### 36 O.S. §§ 902, 908, 1106.1, 1107, 1114, 1250.9, 1450, 1682, 2122, and 6060.4

- HB 3091 modifies various insurance provisions. It authorizes appointed independent hearing examiners, in addition to the Insurance Commissioner, to impose penalties for violations. The measure also removes the minimum penalty requirement for statute, rule, or order violations and requires surplus lines licensees or brokers to make tax filings, payments, and transaction fees available electronically. Finally, it corrects ambiguity in the definition of Health benefit plan from changes that were originally made in 2022.

# State Government/ OID Operations

## HB 3089

Strengthen Oklahoma Homes Act  
Effective November 1, 2024

### 36 O.S. §§ 971 *et seq.*

- HB 3089 establishes the Strengthen Oklahoma Homes Act, directing the Oklahoma Insurance Department (OID) to implement the Strengthen Oklahoma Homes (SOH) Program, allowing residential property owners to receive grants to construct or retrofit insurable property to resist loss due to catastrophic weather. This measure requires OID to set criteria and eligibility standards, and allows for program funding through federal grants and alternative financial sources to supplement resources that otherwise would be needed from the state. This measure requires the residential property owner to obtain at least three bids from the approved list of certified contractors and pay the evaluator's fee. In addition, HB 3089 creates the "Strengthen Oklahoma Homes Revolving Fund" to assist the SOH Program in performing administrative duties.

# Permanent Rules

## CHAPTER 1

Administrative Operations  
Effective August 11, 2024

### Subchapter 9

- Updates language for a new electronic process for submitting information related to surplus lines quarterly and annual filings and tax payments.

## CHAPTER 10

Life, Accident and Health  
Effective August 11, 2024

### Subchapter 1

- Sets up timelines and processes for submitting reports required by SB442 (2023).

## CHAPTER 15

Property and Casualty  
Effective August 11, 2024

### Subchapter 1

- Adds in parameters for a third-party designation and direct assignment by the Commissioner for the new workers' compensation risk pool created by statute last year.
- Adds parameters for Insurers to follow when doing market surveys for body shop repairs.

## CHAPTER 25

Other Licensees  
Effective August 11, 2024

### Subchapters 3, 7, 15, and 29

- Subchapter 3 updates language for a new electronic process for submitting information related to surplus lines quarterly and annual filings and tax payments. It adds new language specifying when quarterly financial statements and fees are due for Service Warranty companies.

- Subchapter 7 updates requirements in the receivership process to be in compliance with accreditation standards.
- Subchapter 15 updates language to include other qualified individuals to be approved by the Commissioner for feasibility studies.
- Subchapter 29 removes unnecessary language after enforcement of pharmacy benefit managers (“PBMs”) moved to the Attorney General’s Office effective November 1, 2023. Additionally, it removes the audited requirement from yearly financial statements for PBM’s.