

1 ENGROSSED HOUSE
2 BILL NO. 1506

By: Sneed of the House

and

Seifried of the Senate

3
4
5
6
7 An Act relating to insurance; amending 36 O.S. 2021,
8 Section 5001, which relates to title insurers and
9 previously issued policies; directing title insurance
10 producer or title insurer provide certain requested
11 copies at no charge; modifying time frame; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 36 O.S. 2021, Section 5001, is
15 amended to read as follows:

16 Section 5001. A. Any foreign or domestic stock insurer
17 authorized by its corporate charter to engage in business as a title
18 insurer shall be entitled to the issuance of a certificate of
19 authority as a title insurer in this state upon meeting the
20 applicable requirements of Article 6, Authorization of Insurers and
21 General Requirements, of the Oklahoma Insurance Code, except that
22 existing title insurers may have their certificate of authority
23 renewed by maintaining surplus in regard to policyholders of not
24 less than Five Hundred Thousand Dollars (\$500,000.00).

1 B. A person engaged in the business of preparing or issuing
2 abstracts of, but not guaranteeing or insuring, title to property,
3 or a person acting only as a title insurance producer appointed by a
4 title insurer, shall not be deemed to be a title insurer.

5 C. Every commitment and policy of title insurance issued by any
6 insurance company authorized to do business in this state shall be
7 countersigned by some person, partnership, corporation or agency
8 actively engaged in the real estate title business and maintaining
9 an office in the state, who is a duly appointed a title insurance
10 producer for a title insurance company holding a valid license and
11 authorized to do business in the state; provided, that no commitment
12 or policy of title insurance shall be issued in the State of
13 Oklahoma except:

14 1. After examination by an attorney licensed to practice in
15 this state of a duly certified abstract extension or supplemental
16 abstract prepared by an abstractor licensed in the county where the
17 property is located, from a certified abstract plant in the county
18 where the property is located or per a temporary certificate of
19 authority as provided in Section 33 of Title 1 of the Oklahoma
20 Statutes, from the effective date of a prior owner's policy of title
21 insurance issued by a title insurer licensed in this state provided
22 by the insured, the prior title insurance producer or the prior
23 title insurer, at the time a valid order is placed pursuant to the
24 provisions of the Oklahoma Abstractors Law brought forward to the

1 effective date of the abstract plant. Subject to the conditions and
2 stipulations, the exclusions from coverage, exceptions from coverage
3 and endorsements to the policy, any policy issued based on a prior
4 owner's policy and a supplemental abstract shall insure the insured
5 against loss or damage sustained or incurred by reason of
6 unmarketability of title from sovereignty to the effective date of
7 the policy, not to exceed the amount of insurance stated in the
8 policy; or

9 2. If a prior owner's policy of title insurance is not
10 provided, then a title insurance commitment and policy may be issued
11 after examination by an attorney licensed to practice in this state
12 of a duly certified abstract of title prepared by a bonded and
13 licensed abstractor as defined in the Oklahoma Abstractors Law.

14 D. If the current owner or insured, or the owner's or insured's
15 authorized agent requests, in writing, a copy of any previously
16 issued owner's policy, the title insurance producer or the title
17 insurer that issued the policy shall provide the requesting party
18 with a copy of the schedules in the previously issued policy, at no
19 charge, within ~~five (5)~~ three (3) business days, unless there exists
20 an unavoidable delay.

21 E. As used in this section, the term "representative" shall
22 mean a person authorized to act on behalf of or in place of another
23 in the current transaction.

24

1 F. Every title insurance producer, title insurer or person who
2 conducts a real estate closing that presents, for filing in the
3 office of the county clerk, an instrument of conveyance or vesting
4 title in connection with a transaction in which an owner's policy of
5 title insurance is to be issued by a title insurance producer or
6 title insurer that is based upon such instrument shall place a
7 legend within the instrument that sets forth the following
8 information:

9 Deed presented for filing by: [Name of title insurance
10 producer, title insurer or person conducting closing]

11 File Number: [File Number of title insurance producer, title
12 insurer or person conducting closing]

13 [Name of Title Insurer designated in the Commitment for Title
14 Insurance]

15 G. The Insurance Department shall maintain, for each title
16 insurance producer or title insurer holding a valid license and
17 authorized to do business in the state, contact information for the
18 office or person responsible for making available copies of owner's
19 policies pursuant to this statute and shall make such contact
20 information generally available to the public on its website and by
21 telephone request.

22 H. The Insurance Commissioner may promulgate rules and
23 regulations to carry out the provisions of this section.

24 SECTION 2. This act shall become effective November 1, 2024.

1 Passed the House of Representatives the 6th day of March, 2024.

2
3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ___ day of _____, 2024.

7
8 _____
9 Presiding Officer of the Senate