

1 fees or assessments received by it in connection with the issuance
2 of service warranties in this state during the preceding calendar
3 year and other relevant financial information as deemed necessary by
4 the Commissioner. The financial statements required by this
5 subsection must be:

6 1. Audited and prepared in accordance with statutory accounting
7 principles if the applicant complies with the requirements of
8 subsection A of Section 141.6 of this title; or

9 2. Verified under oath of at least two of its principal
10 officers and prepared in accordance with generally accepted
11 accounting principles if the applicant utilizes an insurance policy
12 which satisfies the requirements of subsection B of Section 141.6 of
13 this title.

14 B. The Commissioner may levy a fine of up to One Hundred
15 Dollars (\$100.00) a day for each day an association neglects to file
16 its financial statement in the form and within the time provided by
17 the Service Warranty Act.

18 C. In addition to the annual financial statements required to
19 be filed by subsection A of this section, the Commissioner may
20 require of licensees, under oath and in the form prescribed by it,
21 quarterly statements or special reports which the Commissioner deems
22 necessary for the proper supervision of licensees under the Service
23 Warranty Act.

24

1 D. Provider fees and assessments received by associations and
2 insurers for service warranties shall not be subject to the premium
3 tax provided in Section 624 of Title 36 of the Oklahoma Statutes,
4 but ~~shall be subject to an administrative fee of equal to two~~
5 ~~percent (2%) of the gross provider fee received on the sale of all~~
6 ~~service warranties issued in this state during the preceding~~
7 ~~calendar quarter. The fees shall be paid quarterly to the Insurance~~
8 ~~Commissioner. However, licensed associations, licensed insurers and~~
9 ~~entities with applications for licensure as a service warranty~~
10 ~~association pending with the Department that have contractual~~
11 ~~liability insurance in place as of March 31, 2009, from an insurer~~
12 ~~which satisfies the requirements of subsections B and C of Section~~
13 ~~141.6 of this title and which covers one hundred percent (100%) of~~
14 ~~the claims exposure of the association or insurer on all contracts~~
15 ~~written may elect to shall pay an annual administrative fee of Three~~
16 ~~Thousand Dollars (\$3,000.00) in lieu of the two percent~~
17 ~~administrative fee Three Thousand Seven Hundred Dollars (3,700.00).~~
18 The administrative fee set forth in this section shall not be
19 subject to subsection C of Section 307.3 of Title 36 of the Oklahoma
20 Statutes.

21 SECTION 2. This act shall become effective January 1, 2025.

22
23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 02/29/2024 - DO PASS, As Amended and Coauthored.