



1 is registered as a PEO or PEO Group under the Oklahoma Professional  
2 Employer Organization Recognition and Registration Act, provide,  
3 advertise, or otherwise hold itself out as providing professional  
4 employer services in this state.

5 B. Registration information.

6 1. Each PEO or PEO Group required to be registered under the  
7 Oklahoma Professional Employer Organization Recognition and  
8 Registration Act shall ~~provide~~ electronically submit a complete  
9 registration application to the Insurance Commissioner with  
10 information required by the Commissioner on forms in a manner and  
11 form prescribed by the Commissioner, along with any applicable fees.

12 Pursuant to paragraph 2 of this subsection, a PEO or PEO Group may  
13 use a qualified assurance organization as approved by the  
14 Commissioner to provide services related to the registration of the  
15 PEO or PEO Group. A PEO or PEO Group may authorize an assurance  
16 organization to act on behalf of the PEO or PEO Group in complying  
17 with the registration requirements set forth in the Oklahoma  
18 Professional Employer Organization Recognition and Registration Act,  
19 including, but not limited to, electronic filings of information and  
20 payment of registration fees. At a minimum, PEOs, PEO Groups or an  
21 approved assurance organization acting on behalf of the PEO or PEO  
22 Group, shall provide the following information:

23 a. the name or names under which the PEO or PEO Group  
24 conducts business,

- 1           b.    the address of the principal place of business of the  
2                    PEO or PEO Group and the address of each office it  
3                    maintains in this state,  
4           c.    the PEO's or PEO Group's taxpayer or employer  
5                    identification number,  
6           d.    a list by jurisdiction of each name under which the  
7                    PEO or PEO Group has operated in the preceding five  
8                    (5) years, including any alternative names, names of  
9                    predecessors and, if known, successor business  
10                  entities,  
11           e.    a statement of ownership, which shall include the name  
12                    and evidence of the business experience of any person  
13                    that, individually or acting in concert with one or  
14                    more other persons, owns or controls, directly or  
15                    indirectly, twenty-five percent (25%) or more of the  
16                    equity interests of the PEO or PEO Group,  
17           f.    a statement of management, which shall include the  
18                    name and evidence of the business experience of any  
19                    person who serves as president, chief executive  
20                    officer, or otherwise has the authority to act as  
21                    senior executive officer of the PEO or PEO Group, and  
22           g.    a financial statement setting forth the financial  
23                    condition of the PEO or PEO Group, as of a date not  
24                    earlier than ~~one hundred eighty (180)~~ three hundred

1           sixty-five (365) days prior to the date submitted to  
2           the Commissioner, prepared in accordance with  
3           generally accepted accounting principles, and audited  
4           or reviewed by an independent certified public  
5           accountant licensed to practice in the jurisdiction in  
6           which such accountant is located. A PEO Group may  
7           submit combined or consolidated audited or reviewed  
8           financial statements to meet the requirements of this  
9           section.

10           2. The financial statement required by subparagraph g of  
11           paragraph 1 of this subsection may be dated as of a date that is not  
12           earlier than three hundred sixty-five (365) days before the date on  
13           which the application is submitted in the event the PEO or PEO Group  
14           provides the following:

- 15           a. evidence that is acceptable to the Commissioner that  
16           it is licensed or registered in good standing in  
17           another state with equal or greater requirements than  
18           the requirements of the Oklahoma Professional Employer  
19           Organization Recognition and Registration Act,
- 20           b. quarterly financial statements of management for each  
21           calendar quarter as of the most recent audit that  
22           demonstrate continuing financial operations acceptable  
23           to the Commissioner, and

1 c. the certification of an independent Certified Public  
2 Accountant that as of the end of the most recent  
3 calendar quarter, the PEO or PEO Group has paid all of  
4 its state and federal payroll taxes, health and  
5 workers' compensation premiums, and contributions to  
6 employee retirement plans in a timely and appropriate  
7 manner.

8 3. For purposes of the Oklahoma Professional Employer  
9 Organization Recognition and Registration Act, "assurance  
10 organization" means an independent entity approved by the  
11 Commissioner to certify the qualifications of a PEO or PEO Group for  
12 registration under this section and Section 600.6 of this title and  
13 any related requirements and procedures. To be considered for  
14 approval as an independent and qualified assurance organization, the  
15 assurance organization shall submit a written request for approval  
16 to the Commissioner. The written request shall include, but not be  
17 limited to, the following:

18 a. evidence that the assurance organization is  
19 independent and has an established national program  
20 for the accreditation and financial assurance of PEOs  
21 and PEO Groups based on requirements similar to the  
22 requirements of the Oklahoma Professional Employer  
23 Organization Recognition and Registration Act, and any  
24 rules promulgated for the implementation of the

Oklahoma Professional Employer Organization  
Recognition and Registration Act,

b. evidence that the assurance organization has  
documented qualifications, standards, procedures, and  
financial assurance acceptable to the Commissioner and  
is licensed or otherwise approved by one or more  
states to certify the qualifications of PEOs or PEO  
Groups,

c. an agreement to provide information, compliance  
monitoring services, and a level of financial  
assurance as deemed acceptable by the Commissioner,

d. an agreement to provide the Commissioner with an  
application that has been executed by each PEO or PEO  
Group requesting alternative registration under this  
section and Section 600.6 of this title and related  
requirements and procedures in a form approved by the  
Commissioner. The application shall:

(1) authorize the assurance organization to share  
with the Commissioner any application and  
compliance reporting information required under  
the Oklahoma Professional Employer Organization  
Recognition and Registration Act that has been  
provided to the assurance organization by the PEO  
or PEO Group,

1 (2) authorize the Commissioner to accept information  
2 shared by the assurance organization for  
3 registration or renewal of registration of the  
4 PEO or PEO Group as if the information was  
5 provided directly to the Commissioner by the PEO  
6 or PEO Group,

7 (3) provide the certification of the PEO or PEO Group  
8 that the information provided by the assurance  
9 organization to the Commissioner is true and  
10 complete and that the PEO or PEO Group is in full  
11 and complete compliance with all requirements of  
12 the Oklahoma Professional Employer Organization  
13 Recognition and Registration Act, and

14 (4) provide the certification of the assurance  
15 organization that the PEO or PEO Group is in  
16 compliance with the standards and procedures of  
17 the assurance organization which are similar to  
18 the requirements of the Oklahoma Professional  
19 Employer Organization Recognition and  
20 Registration Act and is qualified for  
21 registration or renewal of registration under the  
22 Oklahoma Professional Employer Organization  
23 Recognition and Registration Act,  
24

- 1 e. an agreement to provide written notice to the  
2 Commissioner within two (2) business days of  
3 determination by the assurance organization of the  
4 failure of a PEO or PEO Group to meet the  
5 qualifications for registration under the Oklahoma  
6 Professional Employer Organization Recognition and  
7 Registration Act or determination by the assurance  
8 organization of the failure of the PEO or PEO Group to  
9 meet the qualifications for accreditation or  
10 certification by the assurance organization, and  
11 f. an agreement to share with the Commissioner in a  
12 timely manner the information and supporting  
13 documentation provided to the assurance organization  
14 by the PEO or PEO Group similar to the information and  
15 documentation required for registration or renewal of  
16 registration under the Oklahoma Professional Employer  
17 Organization Recognition and Registration Act.

18 4. Each person, PEO, or PEO Group shall electronically submit,  
19 in a form and manner prescribed by the Commissioner, along with any  
20 applicable fees, any change of legal business name, "doing business  
21 as" or assumed name, address, or contact email address within thirty  
22 (30) days after the change occurred. Any submission of a change of  
23 legal name, "doing business as" or assumed name, address, or contact  
24



1 email address received more than thirty (30) days after the change  
2 occurred shall be accompanied by a fee of Fifty Dollars (\$50.00).

3 C. ~~Initial registration.~~

4 ~~1. Each PEO or PEO Group operating within this state as of~~  
5 ~~November 1, 2002, shall complete its initial registration not later~~  
6 ~~than one hundred eighty (180) days after the end of the PEO's or PEO~~  
7 ~~Group's first fiscal year ending after November 1, 2002.~~

8 ~~2. Each PEO or PEO Group not operating within this state as of~~  
9 ~~November 1, 2002, shall complete its initial registration prior to~~  
10 ~~commencement of operations within this state. A registration is~~  
11 ~~valid for a term of one (1) year.~~

12 ~~D. Renewal.~~ 1. A registration expires one (1) year following  
13 the registration unless it is renewed pursuant to this subsection.  
14 Before expiration of the registration, a registrant may renew the  
15 registration for an additional one-year term if the registrant:

16 a. remains in good standing and otherwise is entitled to  
17 be registered pursuant to the Oklahoma Professional  
18 Employer Organization Recognition and Registration  
19 Act,

20 b. files with the Commissioner a renewal application on a  
21 form prescribed by the Commissioner, and

22 c. pays to the Commissioner a renewal fee as provided for  
23 in Section 600.5 of this title.

24

1       2. ~~A registration shall be considered late thirty (30) days~~  
2 ~~after the renewal date. Any registration received more than thirty~~  
3 ~~(30) days after the renewal date shall be accompanied by a late~~  
4 ~~registration fee of Five Hundred Dollars (\$500.00) A registration~~  
5 expired for failure to submit a renewal application may be  
6 reinstated within ninety (90) days after the expiration date by  
7 electronically submitting a fee in an amount that is twice the  
8 amount of the renewal fee and a renewal application in the form and  
9 manner prescribed by the Insurance Commissioner, along with any  
10 transaction or other applicable fees. The Commissioner shall  
11 require a person, PEO, or PEO Group whose registration has been  
12 expired for more than ninety (90) days to reapply as if a new  
13 applicant and pay an application fee equal to an amount that is  
14 twice the initial application fee in addition to any fines imposed.  
15 All applications received after the registration has been expired  
16 for more than ninety (90) days shall include a detailed report of  
17 professional employer services provided in this state during the  
18 period of expired registration.

19       ~~E.~~ D. Group registration. Any two or more PEOs held under  
20 common control of any other person or persons acting in concert may  
21 be registered as a PEO Group. A PEO Group may satisfy any reporting  
22 and financial requirements of this registration law on a  
23 consolidated basis.

24

1       ~~F.~~ E. Electronic filing and compliance. A PEO, PEO Group or an  
2 approved independent and qualified assurance organization as  
3 provided for in subsection B of this section may electronically  
4 submit filings in conformance with Sections 15-101 through 15-121 of  
5 Title 12A of the Oklahoma Statutes. Electronically submitted  
6 filings include, but are not limited to, applications, documents,  
7 reports, and other filings required under the Oklahoma Uniform  
8 Electronic Transactions Act.

9       ~~G.~~ F. De minimis exemption.

10       1. A PEO is exempt from the registration requirements payable  
11 under the Oklahoma Professional Employer Organization Recognition  
12 and Registration Act if such PEO:

- 13           a. submits a properly executed request for exemption on a  
14               form provided by the Department,
- 15           b. is domiciled outside this state and is licensed or  
16               registered as a professional employer organization in  
17               another state that has the same or greater  
18               requirements as the Oklahoma Professional Employer  
19               Organization Recognition and Registration Act,
- 20           c. does not maintain an office in this state or solicit  
21               in any manner clients located or domiciled within this  
22               state, and
- 23           d. does not have more than twenty-five covered employees  
24               employed or domiciled in this state.

1           2. An exemption of a professional employer organization from  
2 the registration requirements under the Oklahoma Professional  
3 Employer Organization Recognition and Registration Act shall be  
4 valid for one (1) year, subject to renewal.

5           ~~H.~~ G. List. The Commissioner shall maintain a list of  
6 professional employer organizations registered or exempted under the  
7 Oklahoma Professional Employer Organization Recognition and  
8 Registration Act and a list of approved assurance organizations.

9           ~~I.~~ H. Forms. The Commissioner may prescribe forms necessary to  
10 promote the efficient administration of this section.

11           ~~J.~~ I. The Commissioner is authorized to promulgate reasonable  
12 rules necessary for the administration and implementation of this  
13 section.

14           J. Every person, PEO, or PEO Group, upon receipt of any inquiry  
15 from the Commissioner, shall, within twenty (20) days from the date  
16 of receipt of the inquiry, furnish the Commissioner with an adequate  
17 response to the inquiry.

18           K. The Commissioner may reject an application for registration,  
19 renewal of registration, or for an exemption from registration if  
20 the Commissioner finds that:

- 21           1. The application is not fully completed or properly executed;
- 22           2. Documents required to supplement the application are not  
23 included in the application packet or are inadequate;
- 24           3. The registration fee is not submitted with the application;

1 4. The applicant or any person named in the application  
2 misrepresents material in the application;

3 5. The applicant, or any of its officers, is determined by the  
4 Commissioner to lack good moral character, business integrity, or  
5 financial responsibility; or

6 6. The controlling person has violated a provision of the  
7 Oklahoma Professional Employer Organization Recognition and  
8 Registration Act or rules promulgated thereto.

9 SECTION 2. This act shall become effective November 1, 2023.

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11 COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 04/04/2023 - DO  
12 PASS.

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