

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1084 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Mark Tedford

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1084

By: Tedford

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8 PROPOSED POLICY COMMITTEE SUBSTITUTE

9 An Act relating to insurance; providing definitions;
10 prohibiting certain assignment of benefits; declaring
11 certain assignments null and void; providing
12 exceptions; clarifying procedures and penalties for
13 violation; clarifying unprohibited activity;
14 providing for codification; and providing an
15 effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1230 of Title 36, unless there
19 is created a duplication in numbering, reads as follows:

20 A. For purposes of this act:

21 1. "Assignment agreement" means any instrument by which post-
22 loss benefits under an auto, or residential or commercial property
23 insurance, including, but not limited to, any right of action
24 against the insurer or any proceeds acquired from the insurer, are
assigned, transferred, or acquired in any other manner, in whole or

1 in part, to or from a person providing services, including, but not
2 limited to, communicating with an insurer on an insured's behalf or
3 inspecting, estimating, protecting, repairing, restoring, or
4 replacing the property or mitigating against further damage to the
5 property; and

6 2. "Person" means:

7 a. a natural person,

8 b. any type or form of corporation, company, partnership,
9 proprietorship, association, or other legal entity,
10 and

11 c. a government, governmental subdivision or agency, or
12 other governmental body.

13 B. 1. A person shall not solicit or accept an assignment, in
14 whole or in part, of any post-loss insurance benefit for property
15 damage under an auto collision or comprehensive policy, residential
16 property insurance policy, or commercial property insurance policy.
17 An assignment agreement is against public policy and is null and
18 void, and any contract entered in violation of this section shall be
19 void and unenforceable.

20 2. The provisions of paragraph 1 of this subsection do not
21 apply to any of the following:

22 a. an assignment, transfer, pledge, or conveyance granted
23 to a federally insured financial institution,
24

1 mortgagee, or a subsequent purchaser of the property,
2 or

3 b. liability coverage under an auto, residential, or
4 commercial property insurance policy.

5 C. Violation of subsection B of this section is considered an
6 unfair or deceptive trade practice. Any person found to have
7 violated the provisions of subsection B of this section shall be
8 subject to the procedures and penalties as other unfair or deceptive
9 trade practices outlined in Title 36 of the Oklahoma Statutes.

10 D. Nothing in this section shall be interpreted to prohibit an
11 attorney from collecting an attorney fee for an action related to a
12 property insurance claim.

13 E. Nothing in this section shall be construed to prohibit an
14 insured from authorizing or directing payment to, or paying, a
15 person for services, materials, or any other thing which may be, or
16 is, covered under an insurance policy.

17 SECTION 2. This act shall become effective November 1, 2025.

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19 60-1-12442 MJ 02/07/24
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