

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
FOR
5 HOUSE BILL NO. 1084

By: Tedford of the House

6 and

7 **Reinhardt** of the Senate

10 COMMITTEE SUBSTITUTE

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

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

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

22 A. For purposes of this act:

23 1. "Assignment agreement" means any instrument by which post-
24 loss benefits under an auto, or residential or commercial property
 insurance, including, but not limited to, any right of action

1 against the insurer or any proceeds acquired from the insurer, are
2 assigned, transferred, or acquired in any other manner, in whole or
3 in part, to or from a person providing services, including, but not
4 limited to, communicating with an insurer on an insured's behalf or
5 inspecting, estimating, protecting, repairing, restoring, or
6 replacing the property or mitigating against further damage to the
7 property; and

8 2. "Person" means:

- 9 a. a natural person,
- 10 b. any type or form of corporation, company, partnership,
11 proprietorship, association, or other legal entity,
12 and
- 13 c. a government, governmental subdivision or agency, or
14 other governmental body.

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

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

- 1 a. an assignment, transfer, pledge, or conveyance granted
2 to a federally insured financial institution,
3 mortgagee, or a subsequent purchaser of the property,
4 or
5 b. liability coverage under an auto, residential, or
6 commercial property insurance policy.

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

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

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

19 SECTION 2. This act shall become effective November 1, 2025.
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21 COMMITTEE REPORT BY: COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT
22 OVERSIGHT, dated 02/27/2025 - DO PASS, As Amended and Coauthored.
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