

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1084

By: Tedford

AS INTRODUCED

An Act relating to insurance; providing definition; prohibiting certain assignment of benefits; declaring certain assignments null and void; providing exceptions; clarifying procedures and penalties for violation; clarifying un-prohibited activity; providing for codification; and providing an effective date.

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

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

A. For purposes of this act, "assignment agreement" means any instrument by which post-loss benefits under a residential, auto, or commercial property insurance policy, including, but not limited to, any right of action against the insurer or any proceeds acquired from the insurer, are assigned, transferred, or acquired in any other manner, in whole or in part, to or from a person providing services, including, but not limited to, communicating with an insurer on an insured's behalf or inspecting, estimating,

1 protecting, repairing, restoring, or replacing the property or
2 mitigating against further damage to the property.

3 B. 1. A person shall not solicit or accept an assignment, in
4 whole or in part, of any post-loss insurance benefit for property
5 damage under an auto collision or comprehensive policy, residential
6 property insurance policy, or commercial property insurance policy.
7 An assignment agreement is against public policy and is null and
8 void, and any contract entered in violation of this section shall be
9 void and unenforceable; and

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

- 12 a. An assignment, transfer, pledge, or conveyance granted
13 to a federally insured financial institution,
14 mortgagee, or a subsequent purchaser of the property,
15 or
- 16 b. Liability coverage under an auto, residential or
17 commercial property insurance policy.

18 C. Violation of subsection B of this section is considered an
19 unfair or deceptive trade practice. Any person found to have
20 violated the provisions of subsection B of this section shall be
21 subject to the procedures and penalties as other unfair or deceptive
22 trade practices outlined in Title 36.

1 D. Nothing in this section shall be interpreted to prohibit an
2 attorney from collecting an attorney fee for an action related to a
3 property insurance claim.

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

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

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