

**TITLE 365. INSURANCE DEPARTMENT
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1.	General Provisions
365:1-1-4.1	Fees [AMENDED]
Subchapter 7.	Hearings
365:1-7-9	Hearing Procedure – Emergency Actions [AMENDED]
Subchapter 9.	Description of Forms and Instructions
365:1-9-5	Surplus Lines Forms [AMENDED]

SUMMARY:

The amendment to Section 365:1-1-4.1 changes the authority for the Insurance Commissioner to collect fees and licenses from the State Board of Property and Casualty Rates to the Rate and Form Compliance Division of the Insurance Department.

The amendment to Section 365:1-7-9 clarifies the number of days for requesting a hearing in emergency actions. The amendment specifies that within ten business days, the Insurance Department must conduct a hearing in emergency actions if the affected individual requests such a hearing.

The amendment to Section 365:1-9-5 removes the requirement that surplus lines brokers file affidavits in duplicate and requires surplus lines to file an affidavit in one-part instead.

AUTHORITY:

Insurance Commissioner, 36 O.S. §§ 307.1, 348.1, 1107, and 75 O.S. § 314.1.

COMMENT PERIOD:

Written or oral comments regarding the proposed rule amendment shall be received on or before February 16, 2010. Comments shall be directed to Melanie Pouncey, Staff Attorney, Oklahoma Insurance Department, P.O. Box 53408, Oklahoma City, Oklahoma 73152-3408.

PUBLIC HEARING:

A public hearing regarding the proposed rule amendment will be held February 25, 2010, at 9:30 a.m. at the Oklahoma Insurance Department, 2401 N.W. 23rd Street, Suite 28, Oklahoma City, Oklahoma 73107.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Melanie Pouncey, Staff Attorney, Oklahoma Insurance Department, at the mailing address above on or before February 16, 2010.

COPIES OF PROPOSED RULES:

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00

p.m., Monday through Friday. Additional copies of the rules may also be obtained at the Oklahoma Insurance Department.

RULE IMPACT STATEMENT:

A rule impact statement will be prepared prior to January 15, 2010, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above.

CONTACT PERSON:

Melanie Pouncey, Staff Attorney, (405) 521-2746.