

FILED

MAR 31 2017

INSURANCE COMMISSIONER
OKLAHOMA

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

**IN RE: ELECTRONIC FILINGS OF PROFESSIONAL)
EMPLOYER ORGANIZATIONS)
IN THE STATE OF OKLAHOMA)**

Case No. 16-0632-PRJ

**TO: ALL PROFESSIONAL EMPLOYER ORGANIZATIONS IN THE STATE
OF OKLAHOMA**

JURISDICTION

1. The Insurance Commissioner, John D. Doak, is charged with the duty of administering and enforcing the provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Oklahoma Professional Employer Organization Recognition and Registration Act, 40 O.S. §§ 600.1 through 600.9.

2. Notwithstanding any other provision of law that requires a particular form and associated payment to be filed with the Insurance Department in paper form, or to be mailed or hand-delivered to the Insurance Department, the Insurance Commissioner may, by appropriate order, require that all filings of that specific type be filed or delivered in electronic format. 36 O.S. § 350.

FINDINGS OF FACT

1. Unless exempt under 40 O.S. § 600.4(G), no person or entity shall act as a professional employer organization (“PEO”) or a professional employer organization group (“PEO Group”) unless properly registered with the Oklahoma Insurance Department. 40 O.S. § 600.4(A) and (B). An initial registration for a PEO/PEO Group is valid for a period of one year from the date of issuance and may be renewed annually. 40 O.S. § 600.4(C) and (D).

2. All PEOs are required to pay an initial registration fee of Five Hundred Dollars (\$500.00) to the Insurance Commissioner and all PEO Groups are required to pay an initial

registration fee of Five Hundred Dollars (\$500.00) per each member of the PEO Group. 40 O.S. § 600.5(A) and (B). Upon renewal, all PEOs must pay a Two Hundred Fifty Dollar (\$250.00) renewal fee and all PEO Groups must pay a Two Hundred Fifty Dollar (\$250.00) fee per each member of the PEO Group. 40 O.S. § 600.5(C) and (D). If a PEO/PEO Group is exempt pursuant to 40 O.S. § 600.4(G), then a Two Hundred Fifty Dollar (\$250.00) fee shall be paid upon initial application for exemption and, thereafter, upon each annual renewal of the exemption.

3. On November 1, 2014, the following statutory provision in the Oklahoma Insurance Code took effect:

DUTY TO FILE OR DELIVER PAYMENTS ELECTRONICALLY

Notwithstanding any other provision of law that requires a particular form and associated payment to be filed with the Insurance Department in paper form, or to be mailed or hand-delivered to the Insurance Department, the Insurance Commissioner may, by appropriate order, require that all filings of that specific type be filed or delivered in electronic format. 36 O.S. § 350.

4. This provision of law provides the Insurance Commissioner with the authority, by appropriate order, to require PEO/PEO Group forms and associated payments to be filed electronically with the Insurance Department.

5. The Insurance Commissioner finds it proper to prescribe that all PEO/PEO Group registration forms and any other required filings and all accompanying fees for a PEO/PEO Group registration be filed by electronic means and format effective on or before June 1, 2017 and all filings thereafter, pursuant to 36 O.S. § 350, as approved by the Commissioner.

CONCLUSIONS OF LAW

1. The Findings of Fact above are adopted, and incorporated by reference in these Conclusions of Law as if fully set forth herein.

ORDER

IT IS THEREFORE ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, that all PEO/PEO Group registration forms and any other required filings and all accompanying fees for a PEO/PEO Group registration be filed by electronic means and format effective on or before June 1, 2017 and thereafter, pursuant to 36 O.S. § 350, as approved by the Commissioner.

WITNESS My Hand and Official Seal this 31st day of March, 2017.



A handwritten signature in black ink that reads "James A. Mills". The signature is written in a cursive, flowing style.

James A. Mills
Chief of Staff
Oklahoma Insurance Department