

FILED

JUL 06 2016

INSURANCE COMMISSIONER
OKLAHOMA

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

**IN RE: ELECTRONIC FILING OF)
REGISTRATIONS, RENEWAL)
REGISTRATIONS, QUARTERLY)
ADMINISTRATIVE FEES OR ANNUAL)
ADMINISTRATIVE FEES AND)
ANTI-FRAUD ASSESSMENT FEES)
IN THE STATE OF OKLAHOMA)**

Case No. 16-0608-PRJ

**TO: ALL HOME SERVICE CONTRACT PROVIDERS
LICENSED 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 Home Service Contract Act, 36 O.S. §§ 6750 et seq.

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. Each provider of home service contracts sold in this state shall file a registration with, and on a form prescribed by, the Insurance Commissioner consisting of their name, full corporate physical street address, telephone number, contact person and a designated person in this state for service of process. Each provider shall pay to the Commissioner a fee in the amount of One Thousand Two Hundred Dollars (\$1,200.00) upon initial registration and every three (3) years thereafter. Each provider shall pay to the Commissioner an Antifraud Assessment

Fee of Two Thousand Two Hundred Fifty Dollars (\$2,250.00) upon initial registration and every three (3) years thereafter.

2. Fees received from home service contract providers shall not be subject to any premium tax, but shall be subject to an administrative fee equal to two percent (2%) of the gross fees received on the sale of all home service contracts issued in this state during the preceding calendar quarter. The fees shall be paid quarterly to the Commissioner and submitted along with a report on a form prescribed by the Commissioner. However, service contract providers may elect to pay an annual administrative fee of Three Thousand Dollars (\$3,000.00) in lieu of the two-percent administrative fee, if the provider maintains an insurance policy as provided in paragraph 3 of subsection C of this section. 36 O.S. § 6751(A).

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 certain forms and associated payments to be filed electronically with the Insurance Department.

5. The Insurance Commissioner finds it proper to prescribe that all initial home service contract registrations and accompanying fees, renewal registrations and accompanying fees, quarterly administrative fees or annual administrative fees, and anti-fraud assessment fees

be filed electronically effective with the 2016 third quarter administrative fee filing and every and all required 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.

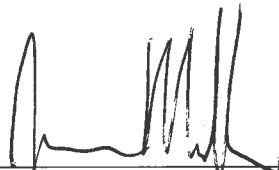
ORDER

IT IS THEREFORE ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, that all initial home service contract registrations and accompanying fees, renewal registrations and accompanying fees, quarterly administrative fees or annual administrative fees, and anti-fraud assessment fees be filed electronically effective with the 2016 third quarter administrative fee filing due on or before October 31, 2016, and every and all required filings thereafter, pursuant to 36 O.S. § 350, as approved by the Commissioner.

IT IS SO ORDERED.

WITNESS My Hand and Official Seal this 6th day of July, 2016.





JAMES MILLS
CHIEF OF STAFF
STATE OF OKLAHOMA