An Act

ENROLLED SENATE
BILL NO. 1876

By: Reinhardt of the Senate

and

Tedford of the House

An Act relating to service of process; amending 36 O.S. 2021, Sections 621 and 622, which relate to service of process on foreign insurers; modifying persons that may be appointed as agent; modifying revocability of agent appointment; requiring certain agent information be submitted to the Insurance Commissioner; providing for alternate service of process in certain circumstances; modifying manner of service of process; updating statutory language; and providing an effective date.

SUBJECT: Service of process on foreign insurers

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

SECTION 1. AMENDATORY 36 O.S. 2021, Section 621, is amended to read as follows:

Section 621. A. Each authorized foreign or alien insurer shall appoint the Insurance Commissioner, a resident of this state, or a person who is authorized to do business in this state as its agent to receive service of legal process, other than a subpoena, issued against it in this state upon any cause of action arising from its transaction of business in this state. ~~The appointment shall be irrevocable, shall bind any successor and shall remain in effect as long as there is in force in this state any contract made by the insurer or obligations arising therefrom.~~

B. Service of such process against a foreign or alien insurer shall be made only by service of process upon the ~~Insurance Commissioner~~ agent appointed pursuant to subsection A of this section. Service of process against a domestic insurer may be made upon the insurer in the manner provided by laws applying to business entities generally, or upon the insurer's attorney-in-fact if a reciprocal insurer or a ~~Lloyds~~ Lloyd's association.

C. Each such insurer at the time of application for a certificate of authority shall file with the Insurance Commissioner designation of the name and address of the person to whom process against it served upon the ~~Insurance Commissioner~~ agent appointed pursuant to subsection A of this section is to be forwarded. The insurer may change such designation by a new filing.

D. Any insurer appointing a registered agent other than the Insurance Commissioner shall electronically submit the name and address of the registered agent in the manner and form prescribed by the Commissioner along with any applicable fee. Registered agent names and addresses shall be made publicly available and kept current, and any changes to such information shall be submitted to the Commissioner within five (5) business days of such change.

E. If a person reasonably relies on the list of registered agents maintained by the Insurance Commissioner pursuant to this section and serves otherwise valid process on an insurance company's designated registered agent, and it is later determined that the registered agent listed by the Commissioner is incorrect, the person may serve process upon the Commissioner. Such process shall be served upon the Commissioner and a copy forwarded by the Commissioner to the insurer in accordance with Section 622 of this title. If the person uses due diligence to serve the Commissioner, the applicable statute of limitations shall be tolled for the period of time beginning when the incorrect registered agent received process and ending when the Commissioner receives process.

SECTION 2. AMENDATORY 36 O.S. 2021, Section 622, is amended to read as follows:

Section 622. A. Triplicate copies of legal process against an insurer for whom the Insurance Commissioner is agent shall be served upon the Commissioner at the principal offices of the Insurance

Department. When legal process against an insurer for whom the ~~Insurance~~ Commissioner is agent is issued, it shall be served in triplicate by any manner now provided by law or in lieu thereof by mailing triplicate copies of such legal process in the United States mails with postage prepaid to the ~~Insurance~~ Commissioner with return receipt requested, in which event service shall be sufficient upon showing of proof of mailing to the Commissioner with the return receipt attached. At the time of service, the plaintiff shall pay to the ~~Insurance~~ Commissioner Twenty Dollars ($20.00), taxable as costs in the action. Upon receiving service, the ~~Insurance~~ Commissioner shall promptly forward a copy ~~thereof~~ by mail with return receipt requested to the person last so designated by the insurer to receive the same.

B. ~~Process served upon the Insurance Commissioner and copy thereof forwarded~~ Copies of the petition and summons forwarded by the Commissioner to the insurer's designated registered agent as provided in this section shall constitute service upon the insurer.

SECTION 3. This act shall become effective November 1, 2026.

Passed the Senate the 9th day of March, 2026.

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Presiding Officer of the Senate

Passed the House of Representatives the 6th day of May, 2026.

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Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

_____
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20 _____, at _____ o'clock _____ M.

By: _____