



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

2 SECTION 1. NEW LAW A new section of law to be codified  
3 in the Oklahoma Statutes as Section 971 of Title 36, unless there is  
4 created a duplication in numbering, reads as follows:

5 This act shall be known and may be cited as the "Strengthen  
6 Oklahoma Homes Act".

7 SECTION 2. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 972 of Title 36, unless there is  
9 created a duplication in numbering, reads as follows:

10 A. There is hereby established within the Department of  
11 Insurance the Strengthen Oklahoma Homes (SOH) Program.

12 B. This act does not create an entitlement for property owners  
13 or obligate the state in any way to fund the inspection or  
14 retrofitting of residential property in this state. Implementation  
15 of the SOH Program is subject to the receipt of federal grants or  
16 funds or from other sources of grants or funds. The Department  
17 shall use its best efforts to obtain grants or funds from the  
18 federal government or other funding sources to supplement the  
19 financial resources of the SOH Program that may be provided by the  
20 state.

21 C. The SOH Program shall apply for financial grants to retrofit  
22 insurable property as defined in Section 963 of Title 36 of the  
23 Oklahoma Statutes to resist loss due to a tornado or other  
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1 catastrophic windstorm event or hail as prescribed in subsection B  
2 of Section 962 of Title 36 of the Oklahoma Statutes.

3 D. The SOH Program may also make grants or funding available to  
4 nonprofit entities for projects to retrofit insurable properties to  
5 resist loss due to tornado or other catastrophic windstorm events or  
6 hail if such grants or funding to nonprofit entities are allowable  
7 under grant or funding rules, requirements, guidelines, or criteria.  
8 However, a nonprofit entity shall agree to administer the grants or  
9 funds as the SOH Program would be required to administer grants or  
10 funds, and the entity shall provide documentation to the Department  
11 in a timely manner as requested by the Department.

12 E. All mitigation shall be based upon the securing of all  
13 required local permits and applicable inspections in keeping with  
14 local building codes and the Insurance Institute for Business and  
15 Home Safety (IBHS) Fortified Homes Program. Mitigation projects are  
16 subject to random reinspection of all projects.

17 F. The Insurance Commissioner may promulgate rules and  
18 eligibility requirements necessary for the proper administration of  
19 this act and pursuant to any instructions or requirements on grants  
20 or funds received by the Department for the SOH Program.

21 SECTION 3. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 973 of Title 36, unless there is  
23 created a duplication in numbering, reads as follows:

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1 A. To be eligible for a grant, residential property owners  
2 applying for a grant must be able to meet the eligibility  
3 requirements as set forth by the Insurance Department for each grant  
4 type. These requirements shall include, but not be limited to, the  
5 following:

6 1. The residential property owner shall have insurable property  
7 as defined in Section 963 of Title 36 of the Oklahoma Statutes;

8 2. The residential property owner shall claim their primary  
9 residence in a county where grants are being approved;

10 3. The home to be mitigated shall be an owner-occupied, single-  
11 family, primary residence, and cannot be a condominium or mobile  
12 home;

13 4. The home shall be in good repair unless damaged by a tornado  
14 or other catastrophic windstorm event or hail. SOH Program grant  
15 funds cannot be used for maintenance or repairs but may be used in  
16 conjunction with repairs or reconstruction necessitated by damages  
17 from a tornado or other catastrophic windstorm event or hail;

18 5. A Certified IBHS Evaluator shall prequalify the insurable  
19 property as mitigable and identify all improvements required to  
20 achieve IBHS FORTIFIED Roof™ (Roof), FORTIFIED Silver™ (Silver),  
21 FORTIFIED Gold™ (Gold), or successor designation, or similar  
22 standard approved by the Insurance Commissioner. The residential  
23 property owner shall select the evaluator from a list provided by  
24 the SOH Program and shall pay the evaluator's fee;

1           6. The residential property owner shall obtain bids from at  
2 least three IBHS Certified Contractors approved by the SOH Program;

3           7. The residential property owner shall agree to retrofit the  
4 home to the Insurance IBHS Roof or Silver, Gold, or successor  
5 designation or similar standard approved by the Commissioner;

6           8. The residential property owner shall provide proof of an in-  
7 force policy providing wind insurance on the home; and

8           9. If the insurable property is in a special flood hazard area,  
9 the residential property owner shall provide proof of an in-force  
10 flood insurance policy. The flood policy may be from the National  
11 Flood Insurance Program (NFIP) or a private carrier.

12           B. Grant applications shall be filed electronically with the  
13 Department in the form and manner prescribed by the Commissioner,  
14 along with any applicable transaction fees.

15           C. Documents, materials, and other information submitted to the  
16 Department by property owners or insurance companies in support of a  
17 grant application shall be confidential by law and privileged, shall  
18 not be subject to open records requests, shall not be subject to  
19 subpoena, and shall not be subject to discovery or admissible in  
20 evidence in any private civil action.

21           D. Grants to residential property owners shall be used to  
22 retrofit an insurable property as defined in Section 963 of Title 36  
23 of the Oklahoma Statutes to resist loss due to a tornado or other  
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1 catastrophic windstorm event or hail as prescribed in subsection B  
2 of Section 962 of Title 36 of the Oklahoma Statutes.

3 E. Failure to complete retrofit projects within three (3)  
4 months of the date the residential property owner receives notice of  
5 the grant approval may result in forfeiture of the grant.

6 F. Grant funds shall only be paid once a certificate has been  
7 issued for a Roof, Silver, Gold, or successor designation, or  
8 similar standard approved by the Commissioner. Grant funds shall be  
9 paid by the Department or another designated agency, on behalf of  
10 the residential property owner, directly to the contractor who  
11 performed the mitigation work.

12 G. Applications will be accepted on a first-come, first-served  
13 basis within each income tier established by the Commissioner, with  
14 priority given to lower-income applicants.

15 H. Any entity providing funds to the SOH Program shall be  
16 permitted to establish additional rules and guidelines under which  
17 those funds may be used, as long as such rules and guidelines do not  
18 violate any state or federal law.

19 I. The Department may conduct random inspections of funds,  
20 records, and/or properties to detect any fraud.

21 SECTION 4. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 974 of Title 36, unless there is  
23 created a duplication in numbering, reads as follows:

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1 A. To perform retrofitting work on insurable property under the  
2 SOH Program, a residential property owner shall hire an IBHS  
3 certified contractor who is capable of performing work that  
4 satisfies the standards prescribed by this act and the rules adopted  
5 thereto.

6 B. The Insurance Department shall not endorse or otherwise  
7 provide preferential treatment to any contractor.

8 C. A residential property owner is responsible for any amount  
9 owed to a contractor that exceeds awarded grant monies.

10 D. To be eligible to work on a project funded by the SOH  
11 Program as a contractor, a contractor shall meet all program  
12 requirements, including, but not limited to, those listed in this  
13 subsection, and maintain a current copy of all applicable  
14 certificates, licenses, and proof of insurance coverages with the  
15 program office:

16 1. If required under Oklahoma law, the contractor shall hold a  
17 valid and active contractor's license or registration in Oklahoma  
18 and be free from all disciplinary action by the applicable licensing  
19 board;

20 2. If applicable, the contractor shall be registered to do  
21 business in Oklahoma with the Secretary of State;

22 3. The contractor shall have an in-force general liability  
23 policy with Five Hundred Thousand Dollars (\$500,000.00) in liability  
24 coverage;

1 4. The contractor shall have worker's compensation and  
2 employer's liability insurance in accordance with and to the extent  
3 required by Oklahoma law;

4 5. The contractor shall hold an active IBHS FORTIFIED Roof™  
5 Contractor Certification or FORTIFIED Professional Certification.  
6 The contractor is responsible for paying all fees associated with  
7 certification and training;

8 6. The contractor must successfully register as a supplier or  
9 payee with the Office of Management and Enterprise Services;

10 7. The contractor shall maintain accurate contact information  
11 with the SOH Program;

12 8. The contractor shall agree to follow the SOH Program's  
13 procedures and rules as prescribed by the Insurance Commissioner;

14 9. The contractor shall not have a financial interest in any  
15 project funded by the SOH Program for which they perform work other  
16 than receiving payment on behalf of the homeowner from the SOH  
17 Program and shall report to the SOH Program any potential conflicts  
18 of interest before work commences; and

19 10. The contractor shall not be the evaluator for any project  
20 funded by the SOH Program.

21 SECTION 5. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 975 of Title 36, unless there is  
23 created a duplication in numbering, reads as follows:



1 To be eligible to work on a project funded by the SOH Program as  
2 an evaluator, the evaluator shall meet all program requirements,  
3 including, but not limited to, those listed below and maintain a  
4 current copy of all applicable certificates and licenses with the  
5 SOH Program office:

6 1. The evaluator must be in good standing with IBHS and  
7 maintain an active IBHS certification as a FORTIFIED Home Evaluator.  
8 The evaluator is responsible for paying all fees associated with  
9 certification and training;

10 2. If applicable, the evaluator shall be registered to do  
11 business in Oklahoma with the Secretary of State;

12 3. The evaluator shall agree to follow the SOH Program's  
13 procedures and rules as prescribed by the Commissioner;

14 4. The evaluator shall maintain accurate contact information  
15 with the SOH Program;

16 5. The evaluator shall not have any financial interest in any  
17 project which they inspect for designation purposes for the SOH  
18 Program;

19 6. The evaluator shall not be a contractor or supplier of any  
20 materials and/or products or systems installed in any home they  
21 inspect for designation purposes for the SOH Program;

22 7. The evaluator shall not be the sales agent for any home  
23 being designated for the SOH Program; and  
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1 8. The evaluator shall inform the SOH Program of any potential  
2 conflicts of interest.

3 SECTION 6. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 976 of Title 36, unless there is  
5 created a duplication in numbering, reads as follows:

6 A. There is hereby created in the State Treasury a revolving  
7 fund for the Insurance Department, to be designated the "Strengthen  
8 Oklahoma Homes Revolving Fund". The fund shall be a continuing  
9 fund, not subject to fiscal year limitations, and shall consist of  
10 any monies deposited to the fund from the receipt of federal grants  
11 or funds or from other sources of grants or funds. All monies  
12 accruing to the credit of the fund are hereby appropriated and may  
13 be budgeted and expended by the Department for the purpose of  
14 assisting the SOH Program in performing all acts that relate to the  
15 function and purpose of the SOH Program. Warrants for expenditures  
16 from the revolving fund shall be drawn by the State Treasurer, based  
17 on claims signed by an authorized employee or employees of the  
18 Insurance Department, and filed with the Director of the Office of  
19 Management and Enterprise Services.

20 B. Monies collected pursuant to this act shall be deposited in  
21 the Strengthen Oklahoma Homes Revolving Fund. Monies shall not  
22 lapse, unless otherwise specified under federal funding or federal  
23 grant, or a grant or funds from another source, or be transferred to  
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1 the State Insurance Commissioner Revolving Fund or other state funds  
2 and shall not be redistributed.

3 C. Notwithstanding any other provision of law, the Insurance  
4 Commissioner may transfer from the State Insurance Commissioner  
5 Revolving Fund to the Strengthen Oklahoma Homes Revolving Fund up to  
6 fifty percent (50%), but in an amount not to exceed Ten Million  
7 Dollars (\$10,000,000.00), of the balance remaining in the State  
8 Insurance Commissioner Revolving Fund at the end of each fiscal year  
9 beginning with the fiscal year ending on June 30, 2024.

10 SECTION 7. This act shall become effective November 1, 2024.

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12 COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 02/19/2024 - DO  
13 PASS, As Coauthored.

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