

1 ~~an instrument of criminal activity~~, or licensee under the regulation
2 or authority of the Commissioner may be investigated by the Anti-
3 Fraud Unit. Whenever the Unit determines that a violation of any
4 criminal law of this state may have occurred, it may refer the
5 matter to the Oklahoma State Bureau of Investigation for further
6 investigation pursuant to Section 150.5 of Title 74 of the Oklahoma
7 Statutes or the Attorney General pursuant to Section 18b of Title 74
8 of the Oklahoma Statutes. The Insurance Department shall retain the
9 authority to initiate and prosecute any administrative or civil
10 action it deems necessary or advisable.

11 C. The Anti-Fraud Unit may employ investigators who may be
12 commissioned by the Insurance Commissioner to serve as peace
13 officers, as defined by and pursuant to the guidelines and
14 requirements of Section 3311 of Title 70 of the Oklahoma Statutes
15 and Sections 99 and 99a of Title 21 of the Oklahoma Statutes.

16 D. Records, documents, reports and evidence obtained or created
17 by the Anti-Fraud Unit as a result of an inquiry or investigation of
18 any suspected insurance related crime shall be confidential and
19 shall not be subject to the Oklahoma Open Records Act or to outside
20 review or release by any individual. Information and records shall
21 be disclosed upon request to officers and agents of federal, state,
22 county, or municipal law enforcement agencies, to the Oklahoma State
23 Bureau of Investigation, to the Attorney General's office and to
24 district attorneys, in the furtherance of criminal investigations.

SECTION 2. This act shall become effective November 1, 2016.

COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 03/31/2016 - DO
PASS.