

OKLAHOMA DEPARTMENT OF CONSUMER CREDIT

Administrative Rules Report | Executive Order 2020-03

Comprehensive Review of Administrative Rules as of July 28, 2020

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Method Used to Conduct Review: Comprehensive review of rules as compared to statutory requirements conducted by General Counsel, review of recommendations of General Counsel conducted by Deputy Administrator, final review of recommendations conducted by Administrator.

TOTAL NUMBER OF UNNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE OR OUTDATED REGULATIONS: 19

Title 160 Department of Consumer Credit

Chapter 1-Organization

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-1-1.1	Department of Consumer Credit	6-25-99			✓	14A O.S. §§ 6-501, 6-504, 6-506, 6-507, and 6510; 25 O.S. § 303			The rule merely recites provisions that are already statutorily codified.
1-1-1.2	Duties of Administrator	6-25-99			✓	14A O.S. § 1-101 <i>et seq.</i> ; 59 O.S. § 1950 <i>et seq.</i> ; 59 O.S. §1501 <i>et seq.</i> ; 59 O.S. § 1521 <i>et seq.</i> ; 24 O.S. § 131 <i>et seq.</i> ; 59 O.S. § 2000 <i>et seq.</i> ; 59 O.S. § 2095 <i>et seq.</i> ; 59 O.S. § 3101 <i>et seq.</i> ,			The rule merely recites provisions that are already statutorily codified.

Chapter 3-Procedure

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
3-1-1.1	Requests for information	6-25-99			✓	51 O.S. § 24A.1 <i>et seq.</i>	✓		The rule references the provisions of the Open Records Act, which are controlling, and does not reference 14A O.S. § 6-117, which would be read in conjunction with the Open Records Act.

Chapter 15-Pawn Transactions

Subchapter 5-Licensing

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
15-5-5	Ownership of more than one pawnshop	6-25-99			✓	59 O.S. §1506 (B)			The rule merely recites provisions that are already statutorily codified.

Chapter 30-Credit Services Organizations

Subchapter 3-Licensing

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
30-3-3.3	Ownership of more than one credit services organization	6-25-99			✓	24 O.S. § 144 (B)			The rule merely recites provisions that are already statutorily codified.

Chapter 50-Health Spas

Subchapter 3-Registration

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
50-3-10	Ownership of more than one health spa	8-2-91			✓	59 O.S. § 2002 (B)			The rule merely recites provisions that are already statutorily codified.

Chapter 50-Health Spas

Subchapter 5–Bond Requirements

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
50-5-1	Bond forms	8-28-91			✓	59 O.S. § 2007 (A)(1)			The rule merely recites provisions that are already statutorily codified.

Chapter 60-Precious Metal and Gem Dealers

Subchapter 3-Licensing

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
60-3-5	Ownership of more than one location	6-25-99			✓	59 O.S. § 1525 (E)			The rule merely recites provisions that are already statutorily codified.

Chapter 65-Procedure

Subchapter 3-Licensing

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
65-3-5	Ownership of more than one business	6-25-99			✓	14A O.S. § 3-504 (7)			The rule merely recites provisions that are already statutorily codified.

Chapter 70-Deferred Deposit Lenders

Subchapter 3-Licensing

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
70-3-1	Licensure forms	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit licenses are authorized to be issued after 8-1-2020.
70-3-2	Investigations for licensure	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit licenses are authorized to be issued after 8-1-2020.
70-3-3	License denials	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit licenses are authorized to be issued after 8-1-2020.

70-3-4	Moving or closing a location	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit licenses are authorized to be issued after 8-1-2020.
70-3-5	Change of ownership	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit licenses are authorized to be issued after 8-1-2020.
70-3-6	Moving or closing a location	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit licenses are authorized to be issued after 8-1-2020.

Chapter 70-Deferred Deposit Lenders
Subchapter 5-Disclosures

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
70-5-1	Rescission	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit loans are authorized to be made after 8-1-2020.
70-5-2	Notice of charges, terms and effective annual percentage rate	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit loans are authorized to be made after 8-1-2020.

Chapter 70-Deferred Deposit Lenders
Subchapter 7-Records

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
70-7-2	Examinations	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and all Deferred Deposit Lending Act licenses expire on 8-1-2020

Chapter 70-Deferred Deposit Lenders
Subchapter 9-Enforcement

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
70-9-1	Investigative proceedings	9-1-03					✓		The Deferred Deposit Lending Act was repealed by the Oklahoma Small Lenders Act, and no new deferred deposit loans are authorized to be made after 8-1-2020.

END OF REPORT