

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1733

By: Crocker

COMMITTEE SUBSTITUTE

An Act Relating to counties and county officers and revenue and taxation; amending 19 O.S. 1991, Sections 180.58, 180.62, 180.63, 180.64A and 180.68, which relate to county officer salaries; modifying basis of calculating county officer salaries; modifying certain definition; amending 19 O.S. 1991, Section 180.59, which relates to county assessor's certificate; deleting certain phrase; defining phrase; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 180.58, is amended to read as follows:

Section 180.58 A. The purpose of this act is to codify and revise the laws of the state relating to the salaries and wages of county officers and their deputies and employees, and to establish said salaries and wages by general law applicable throughout the state under a uniform schedule fixing such salaries and wages and future increases and reductions thereof upon the following bases:

~~(A) the 1.~~ The available revenues of the several counties out of which such salaries and wages may be paid~~;~~

~~(B) the 2.~~ The amount of services required to be performed~~;~~

~~(C) the 3.~~ The monetary value of such services in relation to that of nongovernmental services of similar nature in the areas wherein such services are performed; and

~~(D) the 4.~~ The relative amounts of services required of the various county officers, their deputies and employees upon investigation and full consideration of the applicable facts.

B. The Legislature has determined that the foregoing bases of such schedule gradations generally are cognate to the combination of the following factors:

~~(a) The net valuation of all tangible taxable property of the county (total taxable valuation less homestead exemption allowances)~~ 1. The total amount of revenue authorized to be collected from the millage rate levied against the taxable valuation of property within the county which is apportioned for county purposes pursuant to subsection (a) of Section 9 of Article X of the Oklahoma Constitution, hereinafter referred to as "service-ability"; and

~~(b) the 2. The population of the county, hereinafter referred to as the "service-load"; and that the.~~

The application of said factors properly establishes a rational and relevant formula for uniformity of salaries and wages and of future increases and decreases thereof.

SECTION 2. AMENDATORY 19 O.S. 1991, Section 180.62, is amended to read as follows:

Section 180.62 A. The basic salaries of county officers upon which all salaries and future increases or decreases thereof shall be computed, shall be as follows:

1. In every county having a ~~net valuation of all tangible taxable property, as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of ~~Twenty Million Dollars (\$20,000,000.00)~~ Two Hundred Thousand Dollars (\$200,000.00) or less, the basic salary of each of the county officers named in group "A" shall be Thirteen Thousand Eight Hundred Fifty Dollars (\$13,850.00) per annum, and the basic salary of each of the county officers named in group "B" shall be Thirteen Thousand Four Hundred Sixty Dollars (\$13,460.00) per annum;

2. In every county having a ~~net valuation of all tangible taxable property, as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of more than ~~Twenty Million Dollars (\$20,000,000.00)~~ Two Hundred Thousand Dollars (\$200,000.00) but not more than ~~Thirty~~

~~Million Dollars (\$30,000,000.00)~~ Three Hundred Thousand Dollars (\$300,000.00), the basic salary of each of the county officers named in group "A" shall be Fifteen Thousand Four Hundred Forty-five Dollars (\$15,445.00) per annum, and the basic salary of the county officers named in group "B" shall be Fourteen Thousand Nine Hundred Seventy Dollars (\$14,970.00) per annum;

3. In every county having a ~~net valuation of all tangible taxable property, as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of more than ~~Thirty Million Dollars (\$30,000,000.00)~~ Three Hundred Thousand Dollars (\$300,000.00) but not more than ~~Forty Million Dollars (\$40,000,000.00)~~ Four Hundred Thousand Dollars (\$400,000.00), the basic salary of each of the county officers named in group "A" shall be Sixteen Thousand Seven Hundred Twenty Dollars (\$16,720.00) per annum, and the basic salary of each of the county officers named in group "B" shall be Fifteen Thousand Six Hundred Sixty-five Dollars (\$15,665.00) per annum;

4. In every county having a ~~net valuation of all tangible taxable property, as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of more than ~~Forty Million Dollars (\$40,000,000.00)~~ Four Hundred Thousand Dollars (\$400,000.00) but not more than ~~Fifty Million Dollars (\$50,000,000.00)~~ Five Hundred Thousand Dollars (\$500,000.00), the basic salary of each of the county officers named in group "A" shall be Seventeen Thousand Eight Hundred Thirty-five Dollars (\$17,835.00) per annum, and the basic salary of each of the county officers named in group "B" shall be Fifteen Thousand Nine Hundred Twenty-five Dollars (\$15,925.00) per annum; and

5. In every county having a ~~net valuation of all tangible taxable property, as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of more than ~~Fifty Million Dollars (\$50,000,000.00)~~ Five Hundred Thousand Dollars (\$500,000.00), the basic salary of each of the county officers named in group "A" shall be Eighteen Thousand Seven Hundred Ninety Dollars (\$18,790.00) per annum, and

the basic salary of each of the county officers named in group "B" shall be Sixteen Thousand Eight Hundred Eighty Dollars (\$16,880.00) per annum.

B. In all counties of this state, the total annual salaries of each of the county officers named in group "C" shall be fixed by the board of county commissioners except where otherwise provided by law, and in each county the salary last fixed by the board of county commissioners before the election or appointment of any such officer shall be the applicable salary for such county officer for the ensuing term.

C. The annual salaries fixed by this act shall be paid either monthly or twice a month, by order of the board of county commissioners, for each month or fraction thereof the incumbent lawfully occupies and holds title to such office.

SECTION 3. AMENDATORY 19 O.S. 1991, Section 180.63, is amended to read as follows:

Section 180.63 In every county in this state, the salary of all county officers named in groups "A" and "B" may be increased from the applicable basic salary named in Section 180.62 of this title, for ~~net valuation or serviceability~~ the factor of serviceability, as defined in Section 180.58 of this title, according to the following scale:

A. To the basic salary:

1. Add the product of One Hundred Dollars (\$100.00) times each ~~One Million Dollars (\$1,000,000.00) net valuation~~ Ten Thousand Dollars (\$10,000.00) of revenue authorized to be collected for county purposes, or major fraction thereof until a ~~net valuation of Seventy-five Million Dollars (\$75,000,000.00) is reached~~ the amount of such revenue equals Seven Hundred Fifty Thousand Dollars (\$750,000.00);
2. Thereafter add the product of One Hundred Dollars (\$100.00) times each additional ~~Five Million Dollars (\$5,000,000.00) net valuation~~ Fifty Thousand Dollars (\$50,000.00) of revenue authorized to be collected

for county purposes, or major fraction thereof until ~~a net valuation of Five Hundred Million Dollars (\$500,000,000.00) is reached~~ the amount of such revenue equals Five Million Dollars (\$5,000,000.00);

3. Thereafter add the product of One Hundred Twenty-five Dollars (\$125.00) times each additional ~~Seven Million Dollars (\$7,000,000.00) net valuation~~ Seventy Thousand Dollars (\$70,000.00) of revenue authorized to be collected for county purposes, or major fraction thereof until ~~a net valuation of Two Billion Dollars (\$2,000,000,000.00) is reached~~ the amount of such revenue equals Twenty Million Dollars (\$20,000,000.00);
4. Thereafter as to all additional ~~net valuation~~ revenue which is authorized to be collected for county purposes add the product of One Hundred Twenty-five Dollars (\$125.00) times each additional ~~Twenty Million Dollars (\$20,000,000.00) net valuation~~ Two Hundred Thousand Dollars (\$200,000.00) of such revenue, or major fraction thereof.

B. And also the salary of each county officer shall be additionally increased from the basic salary named in Section 180.62 of this title, and the additions thereto heretofore provided in this section, for population or service load according to the following scale:

1. The product of Twelve Dollars and fifty cents (\$12.50) times each one thousand (1,000) population, or major fraction thereof until a population of seventy-five thousand (75,000) is reached; thereafter
2. The product of Twelve Dollars and fifty cents (\$12.50) times each additional five thousand (5,000) population, or major fraction thereof until a population of one hundred fifty thousand (150,000) is reached; thereafter add

3. The product of Twelve Dollars and fifty cents (\$12.50) times each additional ten thousand (10,000) population, or major fraction thereof.

C. This section shall not reduce the present salary of any county officer in Oklahoma during their present term of office.

SECTION 4. AMENDATORY 19 O.S. 1991, Section 180.64A, is amended to read as follows:

Section 180.64A A. In every county having a ~~net valuation of all tangible taxable property as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of ~~Ten Million Dollars (\$10,000,000.00)~~ One Hundred Thousand Dollars (\$100,000.00) or less, the minimum salary of the sheriff and for all other group "A" officers shall be Eleven Thousand Three Hundred Forty-five Dollars (\$11,345.00) per annum, payable monthly. The minimum salary of all group "B" officers shall be Seven Thousand Nine Hundred Eighty-five Dollars (\$7,985.00) per annum, payable either monthly or twice a month, by order of the board of county commissioners.

B. In every county having a ~~net valuation of all tangible taxable property as defined in Sections 180.58 and 180.59~~ service-ability factor, as defined in Section 180.58 of this title, of more than ~~Ten Million Dollars (\$10,000,000.00)~~ One Hundred Thousand Dollars (\$100,000.00), the minimum salary for the sheriff and the minimum salary for all other group "A" officers shall be Twelve Thousand One Hundred Ninety Dollars (\$12,190.00) per annum, payable monthly. The minimum salary for all group "B" officers shall be Nine Thousand Two Hundred Fifty Dollars (\$9,250.00) per annum, payable either monthly or twice a month, by order of the board of county commissioners.

SECTION 5. AMENDATORY 19 O.S. 1991, Section 180.68, is amended to read as follows:

Section 180.68 The date on which changes in the salaries and rates of pay for county officers and their deputies, aides and assistants under this act due to changes in population or ~~valuation~~ the amount of revenue authorized to be collected for county purposes in any county shall take effect, shall be as of,

on and after the first day of July of the fiscal year in the calendar year in which the Federal Decennial Census for the State of Oklahoma is announced, and in which the county ~~assessor files his official certificate of total net assessed valuations of tangible properties for such year with the county excise board for the purpose of computing appropriations and levies~~ determines the total amount of revenue authorized to be collected from the millage rate levied against the taxable valuation of property within the county which is apportioned for county purposes pursuant to subsection (a) of Section 9 of Article X of the Oklahoma Constitution for such year.

SECTION 6. AMENDATORY 19 O.S. 1991, Section 180.59, is amended to read as follows:

Section 180.59 The net total tangible property valuation for ad valorem tax purposes in each county, ~~or serviceability factor,~~ shall be determined from the county assessor's certificate of such valuations as filed with the excise board of the county for purpose of computation of ad valorem tax levies of each year, and no subsequent amendments thereto to effect an increase in such valuations shall have any effect for such year whatsoever.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2807.1 of Title 68, unless there is created a duplication in numbering, reads as follows:

For purposes of the exemption authorized pursuant to subsection (b) of Section 6 of Article X of the Oklahoma Constitution, "livestock employed in support of the family" means all horses, cattle, mules, asses, sheep, swine, goats, poultry and any other livestock.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.