

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 998

By: Morgan and Robinson of the  
Senate

and

Mitchell and Bonny of the  
House

COMMITTEE SUBSTITUTE

An Act relating to volunteer fire departments;  
amending 85 O.S. 2001, Section 132a, which relates to  
workers' compensation insurance for volunteer  
firefighters; modifying total amount of premiums paid  
by the state; and declaring an emergency.

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

SECTION 1. AMENDATORY 85 O.S. 2001, Section 132a, is  
amended to read as follows:

Section 132a. A. 1. Volunteer fire departments organized  
pursuant to state law may obtain workers' compensation insurance for  
volunteer firefighters through the Volunteer Firefighter Group  
Insurance Pool pursuant to requirements established by ~~the State~~  
~~Insurance Fund~~ CompSource Oklahoma which shall administer the Pool.  
For the premium set by ~~the State Insurance Fund~~ CompSource Oklahoma,  
the state shall provide Fifty-five Dollars (\$55.00) per firefighter  
per year; ~~provided, that the~~. Except as otherwise provided by  
subsection D of this section, the total amount paid by the state  
shall not exceed ~~Two Hundred Seventy Thousand Three Hundred Thirty~~  
~~eight Dollars (\$270,338.00)~~ Three Hundred Twenty Thousand Three  
Hundred Thirty-eight Dollars (\$320,338.00) per year ~~for a period of~~

~~three (3) years~~ or so much thereof as may be necessary to fund the Volunteer Firefighter Group Insurance Pool.

2. CompSource Oklahoma shall collect the premium from state agencies, public trusts and other instrumentalities of the state. Any funds received by ~~the State Insurance Fund~~ CompSource Oklahoma from any state agency, public trust, or other instrumentality for purposes of workers' compensation insurance pursuant to this section shall be deposited to the credit of the Volunteer Firefighter Group Insurance Pool. ~~The State Insurance Fund~~ CompSource Oklahoma shall collect premiums, pay claims, and provide for excess insurance as needed.

B. ~~The State Insurance Fund~~ CompSource Oklahoma shall report, annually, to the Governor, the Speaker of the Oklahoma House of Representatives, and the President Pro Tempore of the State Senate the number of enrollees in the Volunteer Firefighter Group Insurance Pool, and the amount of any anticipated surplus or deficiency of the Pool; and shall also provide to the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the State Senate sixty (60) days ~~advanced~~ advance notice of any proposed change in rates for the Volunteer Firefighter Group Insurance Pool.

C. The amount of claims paid, claim expenses, underwriting losses, loss ratio, or any other financial aspect of the Volunteer Firefighter Group Insurance Pool shall not be considered when determining or considering bids for the amount of any premiums, rates, or expenses owed by, or any discounts, rebates, dividends, or other financial benefits owed to any other policyholder of ~~the State Insurance Fund~~ CompSource Oklahoma.

D. Except as otherwise provided by law, ~~after the three-year period specified in subsection A of this section,~~ any increase in the state payment rate for volunteer firefighters under the Volunteer Firefighter Group Insurance Pool shall not exceed five

percent (5%) per annum. Any proposed change in rates for the Volunteer Firefighter Group Insurance Pool must be approved by the Board of Managers of ~~the State Insurance Fund~~ CompSource Oklahoma with notice provided pursuant to subsection B of this section. ~~The State Insurance Fund~~ CompSource Oklahoma shall not increase premiums for the Volunteer Firefighter Group Insurance Pool more than once per annum.

E. For purposes of this section, the term "volunteer fire departments" includes those volunteer fire departments which have authorized voluntary or uncompensated workers rendering services as firefighters and are created by statute pursuant to Section 592 of Title 18 of the Oklahoma Statutes, Sections 29-201 through 29-205 of Title 11 of the Oklahoma Statutes, and those defined by Section 351 of Title 19 of the Oklahoma Statutes.

SECTION 2. 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.

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