

EHB 2486

THE STATE SENATE
Wednesday, March 29, 2006

ENGROSSED

House Bill No. 2486

As Amended

ENGROSSED HOUSE BILL NO. 2486 - By: NANCE, BRANNON and SMITHSON of the House and WYRICK of the Senate.

[revenue and taxation - amending 68 O.S., Section 50001 - fire insurance - amending 74 O.S., Section 51.2 - Oklahoma Homeland Security Revolving Fund - effective date]

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

SECTION 1. AMENDATORY 68 O.S. 2001, Section 50001, is

amended to read as follows:

Section 50001. There is hereby levied upon percentages of fire insurance gross premiums from a sum of the following lines of insurance: fire, allied, homeowners multiperil, commercial multiperil, growing crops, ocean marine, inland marine, auto physical damage (including collision), and aircraft physical damage, less returns and dividends to policyholders, which is issued in this state by companies doing business in this state a tax of five-sixteenths of one percent (5/16 of 1%). The percentages of fire insurance gross premiums to be considered for taxation shall be determined annually by the Insurance Commissioner. This tax shall be collected annually, by the last day of February, from companies collecting such premiums and shall be collected by the Insurance

(Bold face denotes Committee Amendments)

1 Commissioner as other taxes on insurance are collected. The
2 Insurance Commissioner shall keep a separate account of all such
3 monies received and shall pay the same to the State Treasurer.
4 There is hereby created in the State Treasury a fund for the Fire
5 Marshal Commission and the State Fire Marshal to be designated the
6 "Fire Marshal Fund". ~~The fund shall consist of all monies collected~~
7 ~~pursuant to the provisions of this section and shall be used in the~~
8 ~~performance of duties imposed by law upon the Fire Marshal~~
9 ~~Commission and the Office of the State Fire Marshal.~~ Expenditures
10 from the Fire Marshal Fund shall be made upon warrants issued by the
11 State Treasurer against claims filed as prescribed by law with the
12 Director of State Finance for approval and payment. Beginning July
13 1, 1982, all expenditures from the Fire Marshal Fund shall be made
14 pursuant only to legislative appropriation. Beginning July 1, ~~1983~~
15 2006, all monies collected pursuant to the provisions of this
16 section shall be deposited in the State Treasury for credit to the
17 ~~General Revenue~~ Oklahoma Homeland Security Revolving Fund ~~of the~~
18 ~~state~~. Employees of the Office of State Fire Marshal, other than
19 the State Fire Marshal, shall have salaries commensurate with those
20 fixed by the Merit System of Personnel Administration. All salaries
21 shall be payable monthly from funds available to the State Fire
22 Marshal. The State Fire Marshal, subject to confirmation by the

1 Fire Marshal Commission, shall appoint and fix the salaries of such
2 employees as are necessary to fulfill the duties of his office.

3 SECTION 2. AMENDATORY Section 3, Chapter 157, O.S.L.
4 2004 (74 O.S. Supp. 2005, Section 51.2), is amended to read as
5 follows:

6 Section 51.2 A. There is hereby created in the State Treasury
7 a revolving fund for the Oklahoma Office of Homeland Security to be
8 designated the "Oklahoma Homeland Security Revolving Fund". The
9 Oklahoma Homeland Security Revolving Fund shall be a continuing
10 fund, not subject to fiscal year limitations and shall consist of
11 monies received by the Oklahoma Office of Homeland Security or the
12 Department of Public Safety from:

13 1. Reimbursements from responsible parties for reasonable
14 actions taken and costs incurred by a regional team in response to
15 an incident or event involving a dangerous substance;

16 2. Reimbursements, grants, or other monies received from other
17 state agencies and entities of state government;

18 3. Reimbursements, grants, or other monies received by the
19 Oklahoma Office of Homeland Security or the Department of Public
20 Safety from the United States government or pursuant to proceedings
21 in district court to enforce claims initiated pursuant to the
22 Oklahoma Homeland Security Act or the Oklahoma Emergency Response
23 Act;

1 4. Gifts, donations, and bequests;
2 5. Monies appropriated or apportioned by the state; ~~and~~
3 6. Receipts from other ancillary services related to incidents
4 or events related to dangerous substances, not otherwise provided by
5 law; and

6 7. Monies collected through levies on percentages of fire
7 insurance premiums pursuant to Section 50001 of Title 68 of the
8 Oklahoma Statutes.

9 B. All monies accruing to the credit of the Oklahoma Homeland
10 Security Revolving Fund are hereby appropriated and may be budgeted
11 and expended by the Oklahoma Office of Homeland Security for:

- 12 1. Operating expenses;
13 2. Administrative duties; and
14 3. Education and reimbursement for expenses of regional teams,
15 including maintenance of equipment.

16 Any monies collected pursuant to paragraph 7 of subsection A of this
17 section shall be expended only for costs associated with the
18 administration and operation of regional response teams. Such costs
19 shall include but not be limited to: education, replenishment of
20 equipment, recalibration of equipment, or other reimbursement of
21 expenses necessary for the sustenance and operation of the regional
22 response teams.

1 C. Expenditures from the Oklahoma Homeland Security Revolving
2 Fund shall be made upon warrants issued by the State Treasurer
3 against claims filed as prescribed by law with the Director of State
4 Finance for approval and payment.

5 SECTION 3. This act shall become effective November 1, 2006.

6 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 3-28-06 - DO PASS,
7 As Amended and Coauthored.