

3 Senate Bill No. 1400
4 As Amended

5 SENATE BILL NO. 1400 - By: GUMM of the Senate and CALVEY of the
6 House.

7 [retirement - Oklahoma Police Pension and Retirement System
8 - providing funding - codification - effective date]

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

10 SECTION 1. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 50-130.1 of Title 11, unless
12 there is created a duplication in numbering, reads as follows:

13 There is hereby created in the State Treasury a revolving fund
14 for the Oklahoma Police Pension and Retirement System to be
15 designated the "Oklahoma Retired Police Officer Revolving Fund".
16 The fund shall be a continuing fund, not subject to fiscal year
17 limitations, and shall consist of the monies apportioned to such
18 fund pursuant to the provisions of paragraph 3 of subsection D of
19 Section 36-312.1 of Title 36 of the Oklahoma Statutes. All monies
20 accruing to the credit of the fund are hereby appropriated and may
21 be budgeted and expended by the Oklahoma Police Pension and
22 Retirement System for payment to retired police officers or their
23 surviving spouses participating in the System. The purpose of the
24 fund is to help retired officers and surviving spouses pay for the

1 increases in health insurance costs. Expenditures from the fund
2 shall be made upon warrants issued by the State Treasurer against
3 claims filed as prescribed by law with the Director of State Finance
4 for approval and payment.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 50-130.2 of Title 11, unless
7 there is created a duplication in numbering, reads as follows:

8 The Board of Trustees of the Oklahoma Police Pension and
9 Retirement System shall on February 1 and July 1 of each year,
10 beginning with February 1, 2010, make a claim for the balance of the
11 Oklahoma Retired Police Officer Revolving Fund. Upon receipt of
12 such balance, the System shall on a pro rata basis, based upon the
13 number of retired members or surviving spouses in the case of the
14 death of a retired member, pay the balance to retired members and
15 surviving spouses.

16 SECTION 3. AMENDATORY 36 O.S. 2001, Section 312.1, as
17 last amended by Section 1, Chapter 381, O.S.L. 2005 (36 O.S. Supp.
18 2005, Section 312.1), is amended to read as follows:

19 Section 312.1 A. For the fiscal year ending June 30, 2004, the
20 Insurance Commissioner shall report and disburse one hundred percent
21 (100%) of the fees and taxes collected under Section 624 of this
22 title to the State Treasurer to be deposited to the credit of the
23 Education Reform Revolving Fund created pursuant to Section 41.29b

1 of Title 62 of the Oklahoma Statutes. The Insurance Commissioner
2 shall keep an accurate record of all such funds and make an itemized
3 statement and furnish same to the State Auditor and Inspector, as to
4 all other departments of this state. The report shall be
5 accompanied by an affidavit of the Insurance Commissioner or the
6 Chief Clerk of such office certifying to the correctness thereof.

7 B. For the fiscal year beginning July 1, 2006, and for each
8 fiscal year thereafter, the Insurance Commissioner shall apportion
9 an amount of the taxes and fees received from Section 624 of this
10 title, which shall be at least One Million Two Hundred Fifty
11 Thousand Dollars (\$1,250,000.00) each year, but which shall also be
12 computed on an annual basis by the Commissioner as the amount of
13 insurance premium tax revenue loss attributable to the provisions of
14 subsection H of Section 625.1 of this title and increased if
15 necessary to reflect the annual computation, and which shall be
16 apportioned before any other amounts, to the following pension
17 systems and in the following amounts:

18 1. Sixty-five percent (65%) to the Oklahoma Firefighters
19 Pension and Retirement Fund in the manner provided for in Sections
20 49-119, 49-120 and 49-123 of Title 11 of the Oklahoma Statutes;

21 2. Twenty-six percent (26%) to the Oklahoma Police Pension and
22 Retirement System pursuant to the provisions of Sections 50-101
23 through 50-136 of Title 11 of the Oklahoma Statutes; and

1 3. Nine percent (9%) to the Law Enforcement Retirement Fund.

2 C. After the apportionment required by subsection B of this
3 section, for the fiscal years beginning July 1, 2004, and ending
4 June 30, 2009, the Insurance Commissioner shall report and disburse
5 all of the fees and taxes collected under Section 624 of this title
6 and Section ~~61~~ 2204 of this ~~act~~ title, and the same are hereby
7 apportioned as follows:

8 1. Forty-one and seven-tenths percent (41.7%) of the taxes
9 collected on premiums shall be allocated and disbursed for the
10 Oklahoma Firefighters Pension and Retirement Fund, in the manner
11 provided for in Sections 49-119, 49-120 and 49-123 of Title 11 of
12 the Oklahoma Statutes;

13 2. Seventeen percent (17%) of the taxes collected on premiums
14 shall be allocated and disbursed to the Oklahoma Police Pension and
15 Retirement System pursuant to the provisions of Sections 50-101
16 through 50-136 of Title 11 of the Oklahoma Statutes;

17 3. Six and one-tenth percent (6.1%) of the taxes collected on
18 premiums shall be allocated and disbursed to the Law Enforcement
19 Retirement Fund; and

20 4. All the balance and remainder of the taxes and fees provided
21 in Section 624 of this title shall be paid to the State Treasurer to
22 the credit of the General Revenue Fund of the state to provide
23 revenue for general functions of state government. The Insurance

1 Commissioner shall keep an accurate record of all such funds and
2 make an itemized statement and furnish same to the State Auditor and
3 Inspector, as to all other departments of this state. The report
4 shall be accompanied by an affidavit of the Insurance Commissioner
5 or the Chief Clerk of such office certifying to the correctness
6 thereof.

7 D. After the apportionment required by subsection B of this
8 section, for the fiscal year ending June 30, 2010, and for each
9 fiscal year thereafter the Insurance Commissioner shall report and
10 disburse all of the fees and taxes collected under Section 624 of
11 this title and Section 2204 of this title, and the same are hereby
12 apportioned as follows:

13 1. Thirty-four percent (34%) of the taxes collected on premiums
14 shall be allocated and disbursed for the Oklahoma Firefighters
15 Pension and Retirement Fund, in the manner provided for in Sections
16 49-119, 49-120 and 49-123 of Title 11 of the Oklahoma Statutes;

17 2. Fourteen percent (14%) of the taxes collected on premiums
18 shall be allocated and disbursed to the Oklahoma Police Pension and
19 Retirement System pursuant to the provisions of Sections 50-101
20 through 50-136 of Title 11 of the Oklahoma Statutes;

21 3. Three percent (3%) of the taxes collected on premiums shall
22 be placed to the credit of the Oklahoma Retired Police Officer
23 Revolving Fund created in Section 1 of this act;

1 4. Five percent (5%) of the taxes collected on premiums shall
2 be allocated and disbursed to the Law Enforcement Retirement Fund;
3 and

4 ~~4.~~ 5. All the balance and remainder of the taxes and fees
5 provided in Section 624 of this title shall be paid to the State
6 Treasurer to the credit of the General Revenue Fund of the state to
7 provide revenue for general functions of state government. The
8 Insurance Commissioner shall keep an accurate record of all such
9 funds and make an itemized statement and furnish same to the State
10 Auditor and Inspector, as to all other departments of this state.
11 The report shall be accompanied by an affidavit of the Insurance
12 Commissioner or the Chief Clerk of such office certifying to the
13 correctness thereof.

14 E. The disbursements provided for in subsections A, B, C and D
15 of this section shall be made monthly. The Insurance Commissioner
16 shall report annually to the Governor, the Speaker of the House of
17 Representatives, the President Pro Tempore of the Senate and the
18 State Auditor and Inspector, the amounts collected and disbursed
19 pursuant to this section.

20 SECTION 4. This act shall become effective November 1, 2006.

21 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-21-06 - DO PASS,
22 As Amended and Coauthored.