

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1668

By: Barrington

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6 AS INTRODUCED

7 An Act relating to homeland security; amending 68
8 O.S. 2001, Section 50001, which relates to tax on
9 fire insurance gross premiums; directing the
10 Insurance Commissioner to determine certain premium
11 percentages; removing certain restrictions regarding
12 the makeup and use of certain fund; directing certain
13 monies to the credit of the Oklahoma Homeland
14 Security Revolving Fund as of a specific date;
15 amending Section 3, Chapter 157, O.S.L. 2004 (74 O.S.
16 Supp. 2007, Section 51.2), which relates to the
17 Oklahoma Homeland Security Revolving Fund; requiring
18 that the fund consist of certain additional monies;
19 directing expenditure of certain monies; and
20 providing an effective date.

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

24 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

1 state by companies doing business in this state a tax of
2 five-sixteenths of one percent (5/16 of 1%). The percentages of
3 fire insurance gross premiums to be considered for taxation shall be
4 determined annually by the Insurance Commissioner. This tax shall
5 be collected annually, by the last day of February, from companies
6 collecting such premiums and shall be collected by the Insurance
7 Commissioner as other taxes on insurance are collected. The
8 Insurance Commissioner shall keep a separate account of all such
9 monies received and shall pay the same to the State Treasurer.
10 There is hereby created in the State Treasury a fund for the Fire
11 Marshal Commission and the State Fire Marshal to be designated the
12 "Fire Marshal Fund". ~~The fund shall consist of all monies collected~~
13 ~~pursuant to the provisions of this section and shall be used in the~~
14 ~~performance of duties imposed by law upon the Fire Marshal~~
15 ~~Commission and the Office of the State Fire Marshal.~~ Expenditures
16 from the Fire Marshal Fund shall be made upon warrants issued by the
17 State Treasurer against claims filed as prescribed by law with the
18 Director of State Finance for approval and payment. Beginning July
19 1, 1982, all expenditures from the Fire Marshal Fund shall be made
20 pursuant only to legislative appropriation. Beginning July 1, ~~1983~~
21 2008, all monies collected pursuant to the provisions of this
22 section shall be deposited in the State Treasury for credit to the
23 ~~General Revenue Fund of the state~~ Oklahoma Homeland Security
24 Revolving Fund. Employees of the Office of the State Fire Marshal,

1 other than the State Fire Marshal, shall have salaries commensurate
2 with those fixed by the Merit System of Personnel Administration.
3 All salaries shall be payable monthly from funds available to the
4 State Fire Marshal. The State Fire Marshal, subject to confirmation
5 by the Fire Marshal Commission, shall appoint and fix the salaries
6 of such employees as are necessary to fulfill the duties of ~~his~~ the
7 office.

8 SECTION 2. AMENDATORY Section 3, Chapter 157, O.S.L.
9 2004 (74 O.S. Supp. 2007, Section 51.2), is amended to read as
10 follows:

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

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

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

23 3. Reimbursements, grants, or other monies received by the
24 Oklahoma Office of Homeland Security or the Department of Public

1 Safety from the United States government or pursuant to proceedings
2 in district court to enforce claims initiated pursuant to the
3 Oklahoma Homeland Security Act or the Oklahoma Emergency Response
4 Act;

5 4. Gifts, donations, and bequests;

6 5. Monies appropriated or apportioned by the state; and

7 6. Receipts from other ancillary services related to incidents
8 or events related to dangerous substances, not otherwise provided by
9 law; and

10 7. Monies collected through levies on percentages of fire
11 insurance gross premiums pursuant to Section 50001 of Title 68 of
12 the Oklahoma Statutes.

13 B. ~~All~~ 1. Except as provided in paragraph 2 of this
14 subsection, all monies accruing to the credit of the Oklahoma
15 Homeland Security Revolving Fund are hereby appropriated and may be
16 budgeted and expended by the Oklahoma Office of Homeland Security
17 for:

18 ~~1. Operating~~

19 a. operating expenses, and

20 ~~2. Administrative~~

21 b. administrative duties, and

22 ~~3. Education~~

23 c. education and reimbursement for expenses of regional
24 teams, including maintenance of equipment.

1 2. Any monies collected pursuant to paragraph 7 of subsection A
2 of this section shall be expended only for costs associated with the
3 administration and operation of regional response teams. Such costs
4 shall include but not be limited to:

5 a. replenishment of equipment,

6 b. recalibration and maintenance of equipment,

7 c. other reimbursement of expenses necessary for the

8 sustenance and operation of, and sustainment of a

9 state of readiness for, the regional response teams,

10 or

11 d. management of the regional response system.

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

16 SECTION 3. This act shall become effective November 1, 2008.

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