

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 2573

By: Trebilcock, Ritz, Smithson,  
Tibbs and Duncan of the  
House

7 and

8 Coffee and Gumm of the  
9 Senate

10  
11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to counties and county officers;  
13 amending 19 O.S. 2001, Sections 180.63 and 180.75,  
14 which relate to basic salary increases for county  
15 officers; directing basic salaries for county  
16 officers be increased according to certain scale;  
17 amending 19 O.S. 2001, Section 746, as amended by  
18 Section 1, Chapter 139, O.S.L. 2008 (19 O.S. Supp.  
19 2009, Section 746), which relates to medical care  
20 costs for persons in custody; directing county jails  
21 to reimburse health care providers pursuant to  
22 certain fee schedule; and providing an effective  
23 date.

24  
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 2001, Section 180.63, is  
amended to read as follows:

1 Section 180.63. In every county in this state, the salary of  
2 all county officers named in paragraph 1 of Section 180.61 of this  
3 title ~~may~~ shall be increased from the applicable basic salary named  
4 in Section 180.62 of this title, for net valuation or  
5 serviceability, according to the following scale:

6 A. To the basic salary:

- 7 1. Add the product of One Hundred Dollars (\$100.00) times  
8 each One Million Dollars (\$1,000,000.00) net  
9 valuation, or major fraction thereof until a net  
10 valuation of Seventy-five Million Dollars  
11 (\$75,000,000.00) is reached;
- 12 2. Thereafter add the product of One Hundred Dollars  
13 (\$100.00) times each additional Five Million Dollars  
14 (\$5,000,000.00) net valuation, or major fraction  
15 thereof until a net valuation of Five Hundred Million  
16 Dollars (\$500,000,000.00) is reached;
- 17 3. Thereafter add the product of One Hundred Twenty-five  
18 Dollars (\$125.00) times each additional Seven Million  
19 Dollars (\$7,000,000.00) net valuation, or major  
20 fraction thereof until a net valuation of Two Billion  
21 Dollars (\$2,000,000,000.00) is reached;
- 22 4. Thereafter as to all additional net valuation add the  
23 product of One Hundred Twenty-five Dollars (\$125.00)  
24 times each additional Twenty Million Dollars

1 (\$20,000,000.00) net valuation, or major fraction  
2 thereof.

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

- 8 1. The product of Twelve Dollars and fifty cents (\$12.50)  
9 times each one thousand (1,000) population, or major  
10 fraction thereof until a population of seventy-five  
11 thousand (75,000) is reached; thereafter
- 12 2. The product of Twelve Dollars and fifty cents (\$12.50)  
13 times each additional five thousand (5,000)  
14 population, or major fraction thereof until a  
15 population of one hundred fifty thousand (150,000) is  
16 reached; thereafter add
- 17 3. The product of Twelve Dollars and fifty cents (\$12.50)  
18 times each additional ten thousand (10,000)  
19 population, or major fraction thereof.

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

22 SECTION 2. AMENDATORY 19 O.S. 2001, Section 180.75, is  
23 amended to read as follows:  
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1 Section 180.75 A. In every county in this state which approves  
2 an exemption of household goods of the heads of families and  
3 livestock employed in support of the family from ad valorem taxation  
4 pursuant to the provisions of Section 6 of Article X of the Oklahoma  
5 Constitution, the salary of all county officers named in paragraph 1  
6 of Section ~~5~~ 180.73 of this ~~act~~ may title shall be increased from  
7 the applicable basic salary named in Section ~~6~~ 180.74 of this ~~act~~  
8 title, for the factor of service-ability, as defined in Section ~~3~~  
9 180.71 of this ~~act~~ title, according to the following scale:

- 10 1. To the basic salary:
  - 11 a. add the product of One Hundred Dollars (\$100.00) times  
12 each Ten Thousand Dollars (\$10,000.00) of revenue  
13 authorized to be collected for county purposes, or  
14 major fraction thereof until the amount of such  
15 revenue equals Seven Hundred Fifty Thousand Dollars  
16 (\$750,000.00),
  - 17 b. thereafter add the product of One Hundred Dollars  
18 (\$100.00) times each additional Fifty Thousand Dollars  
19 (\$50,000.00) of revenue authorized to be collected for  
20 county purposes, or major fraction thereof until the  
21 amount of such revenue equals Five Million Dollars  
22 (\$5,000,000.00),
  - 23 c. thereafter add the product of One Hundred Twenty-five  
24 Dollars (\$125.00) times each additional Seventy

1 Thousand Dollars (\$70,000.00) of revenue authorized to  
2 be collected for county purposes, or major fraction  
3 thereof until the amount of such revenue equals Twenty  
4 Million Dollars (\$20,000,000.00),

- 5 d. thereafter as to all additional revenue which is  
6 authorized to be collected for county purposes add the  
7 product of One Hundred Twenty-five Dollars (\$125.00)  
8 times each additional Two Hundred Thousand Dollars  
9 (\$200,000.00) of such revenue, or major fraction  
10 thereof; and

11 2. The salary of each county officer shall be additionally  
12 increased from the basic salary named in Section ~~6~~ 180.74 of this  
13 ~~act~~ title, and the additions to the basic salary as provided in this  
14 section, for population or service load according to the following  
15 scale:

- 16 a. the product of Twelve Dollars and fifty cents (\$12.50)  
17 times each one thousand (1,000) population, or major  
18 fraction thereof until a population of seventy-five  
19 thousand (75,000) is reached,  
20 b. thereafter the product of Twelve Dollars and fifty  
21 cents (\$12.50) times each additional five thousand  
22 (5,000) population, or major fraction thereof until a  
23 population of one hundred fifty thousand (150,000) is  
24 reached,

1           c.     thereafter add the product of Twelve Dollars and fifty  
2                   cents (\$12.50) times each additional ten thousand  
3                   (10,000) population, or major fraction thereof.

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

6           C.    As used in this section, "major fraction thereof" means any  
7 amount greater than one-half (1/2).

8           SECTION 3.        AMENDATORY        19 O.S. 2001, Section 746, as  
9 amended by Section 1, Chapter 139, O.S.L. 2008 (19 O.S. Supp. 2009,  
10 Section 746), is amended to read as follows:

11           Section 746.   A.   When a person is in the custody of a county  
12 jail, the custodial county shall only be liable for the cost of  
13 medical care for conditions that are not preexisting prior to arrest  
14 and that arise due to acts or omissions of the county.   A  
15 preexisting condition is a condition for which the person received  
16 medical treatment or advice, or a condition which was diagnosed in  
17 the six (6) months preceding the custody of the person by the law  
18 enforcement agency.   An accidental injury sustained during the six  
19 (6) months preceding the custody of that person by the law  
20 enforcement agency will also be considered a preexisting condition.

21           B.    An inmate in pretrial detention or the custody of a county  
22 jail shall be provided with the opportunity to receive necessary  
23 medical care for a preexisting condition and the inmate shall be  
24 liable for payment of the cost of such medical care including, but

1 not limited to, medication, medical treatment, and transportation  
2 costs, for or relating to the condition requiring treatment.

3 C. The medical provider or hospital shall seek payment for all  
4 medical care provided for preexisting conditions directly from the  
5 offender. In the event there is a dispute between the jail and the  
6 medical provider or hospital concerning the existence or extent of a  
7 preexisting condition or the liability to pay medical expenses  
8 relating to such condition, and the sheriff pays the expense pending  
9 a final determination of liability for such medical expense, the  
10 court shall order the offender to reimburse the sheriff for all  
11 medical care and treatment for preexisting conditions and injuries  
12 except for amounts collected pursuant to Section 531 of this title.  
13 Nothing in this section shall require a jail to pay disputed medical  
14 expenses or expenses for any preexisting condition.

15 D. The counties shall reimburse health care providers for  
16 medical care and treatment for inmates retained in county jails  
17 prior to a certified copy of a judgment and sentence being entered  
18 pursuant to the provisions of Section 980 of Title 22 of the  
19 Oklahoma Statutes or the provisions of Section 988.12 or 991a-2 of  
20 Title 22 of the Oklahoma Statutes. Health care providers that are  
21 in the network established by the county in which the jail is  
22 located in conjunction with the State and Education Employees Group  
23 Insurance Board shall be reimbursed according to the fee schedule  
24 established for that network; provided, that reimbursement will be

1 no less than the fee structure that was in effect January 1, 2010,  
2 or the current fee schedule, whichever is greater. Health care  
3 providers that are out of network shall be reimbursed according to  
4 the Oklahoma Medicaid Fee Schedule; provided, that reimbursement  
5 shall be no less than the fee structure that was in effect January  
6 1, 2010, or the current fee schedule, whichever is greater.

7 SECTION 4. This act shall become effective November 1, 2010.

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9 52-2-10806 GRS 05/11/10

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