

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 1640

By: Halligan of the Senate

and

Williams of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to state government; creating the  
11 Certified Retirement Communities Program Act;  
12 providing for short title; directing the Oklahoma  
13 Department of Commerce to establish certain program;  
14 stating purposes of the Oklahoma Certified Retirement  
15 Communities Program; encouraging the Oklahoma  
16 Department of Commerce to collaborate with the  
17 Oklahoma Cooperative Extension Service in the  
18 development of certain program; requiring the  
19 Oklahoma Department of Commerce to promulgate certain  
20 rules; specifying communities eligible for the  
21 program; requiring communities to meet certain  
22 specified requirements; defining term; requiring the  
23 Oklahoma Department of Commerce to determine which  
24 communities qualify for certification; requiring the  
Oklahoma Department of Commerce to develop certain  
criteria; requiring the Oklahoma Department of  
Commerce to issue certain certification upon  
qualification; providing expiration date of  
certification; providing procedures for  
recertification; authorizing pilot project; providing  
for codification; providing an effective date; and  
declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 5040.20 of Title 74, unless  
3 there is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Certified  
5 Retirement Communities Program Act".

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 5040.21 of Title 74, unless  
8 there is created a duplication in numbering, reads as follows:

9 A. The Oklahoma Department of Commerce shall establish an  
10 Oklahoma Certified Retirement Communities Program to recognize  
11 communities in the state that have made themselves attractive  
12 destinations for retirees.

13 B. The purposes of the Program shall be to:

14 1. Encourage retirees to establish a residence in Oklahoma;

15 2. Help communities promote and market themselves as retirement  
16 destinations for retirees;

17 3. Assist the economic development of rural communities by  
18 encouraging retirees to live, work, and volunteer in these  
19 communities; and

20 4. Encourage tourism in Oklahoma by enhancing the marketing of  
21 the state to retirees everywhere.

22 C. The Oklahoma Department of Commerce is encouraged to  
23 collaborate with the Oklahoma Cooperative Extension Service in the  
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1 development of an outreach program to assist communities seeking  
2 certification.

3 D. The Department shall promulgate rules to implement the  
4 provisions of this act.

5 SECTION 3. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 5040.22 of Title 74, unless  
7 there is created a duplication in numbering, reads as follows:

8 A. Any community in this state is eligible to be named a  
9 certified retirement community. In an application to the Oklahoma  
10 Department of Commerce for recognition as a certified retirement  
11 community, the applicant shall clearly articulate how the applicant  
12 defines community for purposes of seeking certification.

13 B. Each community seeking certification shall meet the  
14 following requirements:

15 1. The community shall submit an application to the Oklahoma  
16 Department of Commerce containing basic demographic and statistical  
17 information, including crime statistics, tax-related information,  
18 recreational opportunities, housing prices and availability, health  
19 care and emergency medical service availability and other factors  
20 deemed relevant by the Department;

21 2. The community shall demonstrate the support and active  
22 involvement of the local governing body, churches, clubs,  
23 businesses, media outlets or other entities with an interest in the  
24 future of the community;

1           3. The community shall submit with the application a plan  
2 describing the community's long-term care facility and service  
3 capabilities and the community's strategy for marketing the  
4 community to retirees. The plan shall include a target market, a  
5 list of competing communities, an analysis of the community's  
6 strengths, weaknesses, opportunities and dangers, and the steps the  
7 community will employ to achieve the goals of the plan; and

8           4. The applicant community shall certify the availability of at  
9 least Twenty Thousand Dollars (\$20,000.00) to be expended by the  
10 community to implement the Certified Retirement Communities Program.

11           C. For purposes of this act, "community" means a city, town or  
12 county. A community can be coterminous with a political subdivision  
13 of the state or with a particular geographic boundary.

14           SECTION 4.        NEW LAW        A new section of law to be codified  
15 in the Oklahoma Statutes as Section 5040.23 of Title 74, unless  
16 there is created a duplication in numbering, reads as follows:

17           A. The Oklahoma Department of Commerce shall accept and review  
18 applications from communities seeking to become a certified  
19 retirement community. The Department shall determine which  
20 communities qualify for certification.

21           B. In determining which communities qualify, the Department  
22 shall develop a set of criteria for evaluating and scoring the  
23 applicants and comparing each applicant against the other  
24 applicants. The criteria developed by the Department shall include:

- 1 1. The competitiveness of the tax burden on residents in the  
2 community;
- 3 2. Housing availability and cost;
- 4 3. Climatic factors;
- 5 4. Personal and community safety;
- 6 5. Work, volunteer and community service opportunities;
- 7 6. Health care and emergency medical services available to  
8 residents of the community;
- 9 7. Public transportation and transportation infrastructure;
- 10 8. Educational quality and opportunities;
- 11 9. Recreational and leisure opportunities;
- 12 10. The availability of cultural and performing arts, sporting  
13 events, festivals and other activities; and
- 14 11. The availability of services and facilities necessary to  
15 assist retirees as they age.

16 SECTION 5. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 5040.24 of Title 74, unless  
18 there is created a duplication in numbering, reads as follows:

19 A. If the Oklahoma Department of Commerce determines that a  
20 community qualifies for certification, the Department shall issue to  
21 the community a certificate recognizing the status of the community  
22 as an attractive destination for retirees.

23 B. 1. A community's certification expires on the fifth  
24 anniversary of the date of initial certification.

1           2. To be recertified, a community shall submit a new  
2 application, as provided in Section 3 of this act. Such application  
3 shall include a report of the success or failure of the community's  
4 past efforts to market itself to retirees.

5           SECTION 6.           NEW LAW           A new section of law to be codified  
6 in the Oklahoma Statutes as Section 5040.25 of Title 74, unless  
7 there is created a duplication in numbering, reads as follows:

8           The Oklahoma Department of Commerce is authorized to implement  
9 the Oklahoma Certified Retirement Communities Program through a  
10 pilot project. During this pilot implementation, the community  
11 selection criteria and scoring methodology shall be defined,  
12 applications shall be developed, educational sessions shall be  
13 conducted and marketing strategies shall be developed. The City of  
14 Stillwater, Oklahoma, shall serve as the pilot community pursuant to  
15 this section. In recognition of the assistance the City of  
16 Stillwater shall provide in this pilot project, the application fee  
17 charged by the Department for the city's initial application shall  
18 be Twenty-five Dollars (\$25.00). The Department and the City of  
19 Stillwater shall jointly work to organize the community and prepare  
20 its application.

21           SECTION 7. This act shall become effective July 1, 2010.

22           SECTION 8. It being immediately necessary for the preservation  
23 of the public peace, health and safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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