

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 25

By: Corn

4
5
6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2001, Section 50001, which relates to fire
9 insurance gross premium tax; modifying distribution
10 of revenue; providing for expenditure of funds in
11 specified manner; creating Oklahoma Regional Response
Team Funding Committee; providing for appointment of
members, terms, duties, staffing and meeting for
Committee; providing an effective date; and declaring
an emergency.

12
13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 68 O.S. 2001, Section 50001, is
16 amended to read as follows:

17 Section 50001. A. There is hereby levied upon percentages of
18 fire insurance gross premiums from a sum of the following lines of
19 insurance: fire, allied, homeowners multiperil, commercial
20 multiperil, growing crops, ocean marine, inland marine, auto
21 physical damage (including collision), and aircraft physical damage,
22 less returns and dividends to policyholders, which is issued in this
23 state by companies doing business in this state a tax of
24 five-sixteenths of one percent (5/16 of 1%). The percentages of

1 fire insurance gross premiums to be considered for taxation shall be
2 determined annually by the Commissioner. This tax shall be
3 collected annually, by the last day of February, from companies
4 collecting such premiums and shall be collected by the Insurance
5 Commissioner as other taxes on insurance are collected. The
6 Insurance Commissioner shall keep a separate account of all such
7 monies received and shall pay the same to the State Treasurer.

8 B. There is hereby created in the State Treasury a fund for the
9 State Fire Marshal Commission and the State Fire Marshal to be
10 designated the "Fire Marshal Fund". The fund shall consist of all
11 monies collected pursuant to the provisions of this section and
12 shall be used in the performance of duties imposed by law upon the
13 State Fire Marshal Commission and the Office of the State Fire
14 Marshal. Expenditures from the Fire Marshal Fund shall be made upon
15 warrants issued by the State Treasurer against claims filed as
16 prescribed by law with the Director of State Finance for approval
17 and payment. Beginning July 1, 1982, all expenditures from the Fire
18 Marshal Fund shall be made pursuant only to legislative
19 appropriation. ~~Beginning July 1, 1983, all monies collected~~
20 ~~pursuant to the provisions of this section shall be deposited in the~~
21 ~~State Treasury for credit to the General Revenue Fund of the state~~
22 July 1, 2009, the first One Hundred Thousand Dollars (\$100,000.00)
23 collected annually pursuant to the provisions of this section shall
24 be deposited in the Firefighter Training Revolving Fund. All

1 remaining monies collected pursuant to the provisions of this
2 section shall be deposited in the State Fire Marshal Revolving Fund.
3 Monies deposited in the State Fire Marshal Revolving Fund shall be
4 expended only for costs associated with the administration and
5 operation of regional response teams and the Oklahoma Task Force
6 One. Such costs shall include, but not be limited to, education,
7 replenishment of equipment, recalibration of equipment or other
8 reimbursement of expenses necessary for the sustenance and operation
9 of the regional response teams and the Oklahoma Task Force One.

10 Employees of the Office of State Fire Marshal, other than the State
11 Fire Marshal, shall have salaries commensurate with those fixed by
12 the Merit System of Personnel Administration. All salaries shall be
13 payable monthly from funds available to the State Fire Marshal. The
14 State Fire Marshal, subject to confirmation by the State Fire
15 Marshal Commission, shall appoint and fix the salaries of such
16 employees as are necessary to fulfill the duties of his office.

17 C. There is hereby created the Oklahoma Regional Response Team
18 Funding Committee to review the available funding and make
19 recommendations to the State Fire Marshal Commission for the
20 distribution of funds to the regional response teams and the
21 Oklahoma Task Force One. The Committee shall be comprised of one
22 representative from the firefighting service, one representative
23 from law enforcement and one representative from emergency
24 management. The State Fire Marshal Commission shall designate the

1 members of the Committee and all members shall serve at the pleasure
2 of the Commission. The representative from the firefighting service
3 shall serve as the chair of the Committee. Staffing and support
4 services shall be provided by the Office of State Fire Marshal. The
5 Committee may meet at such times and places as it deems appropriate.

6 SECTION 2. This act shall become effective July 1, 2009.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11

12 52-1-138 JCR 3/6/2009 3:22:15 AM

13

14

15

16

17

18

19

20

21

22

23

24