

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1064

 By: Boles of the House

5 and

6 **Kidd** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to counties and county officers;
11 amending 19 O.S. 2011, Sections 180.58, 180.59,
12 180.62, as amended by Section 1, Chapter 27, O.S.L.
13 2019, 180.63 and 180.68, as amended by Section 2,
14 Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Sections
15 180.62 and 180.68), which relate to salary and
16 compensation; modifying applicability; modifying
17 description of certain property; modifying valuation
18 of certain property; increasing certain base salary
19 range; requiring increase in county officer salary;
20 reformulating salary increase calculation; updating
21 description of certain property; modifying date
22 changes in salaries shall take effect; repealing 19
23 O.S. 2011, Sections 180.64A, 180.71, 180.72, 180.73,
24 180.74, as amended by Section 3, Chapter 27, O.S.L.
 2019, 180.75, 180.76, 180.77, 180.78, 180.79, 180.80,
 180.81, 180.82 and 180.83, as amended by Section 4,
 Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Sections
 180.74 and 180.83), which relate to salary and
 compensation; and providing an effective date.

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

1 SECTION 1. AMENDATORY 19 O.S. 2011, Section 180.58, is
2 amended to read as follows:

3 Section 180.58 A. Sections 180.58 through 180.68 of this title
4 shall apply to all counties ~~which do not approve an exemption of~~
5 ~~household goods of the heads of families and livestock employed in~~
6 ~~support of the family from ad valorem taxation pursuant to the~~
7 ~~provisions of Section 6 of Article X of the Oklahoma Constitution.~~

8 B. The purpose of Sections 180.58 through 180.68 of this title
9 is to codify and revise the laws of the state relating to the
10 salaries and wages of county officers and their deputies and
11 employees, and to establish said salaries and wages by general law
12 applicable throughout the state under a uniform schedule fixing such
13 salaries and wages and future increases and reductions thereof upon
14 the following bases:

15 1. The available revenues of the several counties out of which
16 such salaries and wages may be paid;

17 2. The amount of services required to be performed;

18 3. The monetary value of such services in relation to that of
19 nongovernmental services of similar nature in the areas wherein such
20 services are performed; and

21 4. The relative amounts of services required of the various
22 county officers, their deputies and employees upon investigation and
23 full consideration of the applicable facts.

1 C. The Legislature has determined that the foregoing bases of
2 such schedule gradations generally are cognate to the combination of
3 the following factors:

4 1. The ~~net~~ gross assessed valuation of all tangible taxable
5 property of the county ~~(total taxable valuation less homestead~~
6 ~~exemption allowances except those additional homestead exemptions~~
7 ~~authorized and allowed pursuant to Section 2890 of Title 68 of the~~
8 ~~Oklahoma Statutes)~~, hereinafter referred to as "service-ability";
9 and

10 2. The population of the county, hereinafter referred to as the
11 "service-load".

12 The application of said factors properly establishes a rational and
13 relevant formula for uniformity of salaries and wages and of future
14 increases and decreases thereof.

15 SECTION 2. AMENDATORY 19 O.S. 2011, Section 180.59, is
16 amended to read as follows:

17 Section 180.59 The ~~net~~ gross assessed total tangible property
18 valuation for ad valorem tax purposes in each county, or service-
19 ability factor, shall be determined from the county assessor's
20 certificate of such valuations as filed with the excise board of the
21 county for the purpose of computation of ad valorem tax levies of
22 each year, and no subsequent amendments thereto to effect an
23 increase or decrease in such valuations shall have any effect for
24 such year whatsoever.

1 SECTION 3. AMENDATORY 19 O.S. 2011, Section 180.62, as
2 amended by Section 1, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020,
3 Section 180.62), is amended to read as follows:

4 Section 180.62 A. The basic salaries of county officers upon
5 which all salaries and future increases or decreases thereof shall
6 not be less than Nineteen Thousand Dollars (\$19,000.00) per annum
7 nor shall they exceed ~~Forty-four Thousand Five Hundred Dollars~~
8 ~~(\$44,500.00)~~ Forty-nine Thousand Five Hundred Dollars (\$49,500.00)
9 per annum.

10 B. The board of county commissioners, or if the county has
11 elected to come under the County Budget Act, the budget board
12 members of the county, shall set the salaries for all elected county
13 officials within the limits allowed by law.

14 C. The annual salaries fixed by this act shall be paid either
15 monthly or twice a month, by order of the board of county
16 commissioners, for each month or fraction thereof the incumbent
17 lawfully occupies and holds title to such office.

18 SECTION 4. AMENDATORY 19 O.S. 2011, Section 180.63, is
19 amended to read as follows:

20 Section 180.63 In every county in this state, the salary of all
21 county officers named in paragraph 1 of Section 180.61 of this title
22 ~~may~~ shall be increased from the applicable basic salary named in
23 Section 180.62 of this title, for ~~net~~ gross assessed valuation or
24 serviceability, according to the following scale:

1 A. To the basic salary:

2 1. Add the product of One Hundred Dollars (\$100.00) times each
3 One Million Dollars (\$1,000,000.00) ~~net~~ gross assessed valuation, or
4 major fraction thereof, until a ~~net~~ gross assessed valuation of
5 Seventy-five Million Dollars (\$75,000,000.00) is reached;

6 2. Thereafter add the product of One Hundred Dollars (\$100.00)
7 times each additional Five Million Dollars (\$5,000,000.00) ~~net~~ gross
8 assessed valuation, or major fraction thereof, until a ~~net~~ gross
9 assessed valuation of Five Hundred Million Dollars (\$500,000,000.00)
10 is reached;

11 3. Thereafter add the product of One Hundred Twenty-five
12 Dollars (\$125.00) times each additional Seven Million Dollars
13 (\$7,000,000.00) ~~net~~ gross assessed valuation, or major fraction
14 thereof, until a ~~net~~ gross assessed valuation of Two Billion Dollars
15 (\$2,000,000,000.00) is reached; and

16 4. Thereafter as to all additional ~~net~~ gross assessed valuation
17 add the product of One Hundred Twenty-five Dollars (\$125.00) times
18 each additional Twenty Million Dollars (\$20,000,000.00) ~~net~~ gross
19 assessed valuation, or major fraction thereof.

20 B. Also, the salary of each county officer shall be
21 additionally increased from the basic salary named in Section 180.62
22 of this title, and the additions thereto heretofore provided in this
23 section, for population or service load according to the following
24 scale:

1 1. The product of Twelve Dollars and fifty cents (\$12.50) times
2 each one thousand (1,000) population, or major fraction thereof
3 until a population of seventy-five thousand (75,000) is reached;
4 thereafter;

5 2. The product of Twelve Dollars and fifty cents (\$12.50) times
6 each additional five thousand (5,000) population, or major fraction
7 thereof until a population of one hundred fifty thousand (150,000)
8 is reached; thereafter add; and

9 3. The product of Twelve Dollars and fifty cents (\$12.50) times
10 each additional ten thousand (10,000) population, or major fraction
11 thereof.

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

14 SECTION 5. AMENDATORY 19 O.S. 2011, Section 180.68, as
15 amended by Section 2, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020,
16 Section 180.68), is amended to read as follows:

17 Section 180.68 The date on which changes in the salaries and
18 rates of pay for county officers and their deputies, aides and
19 assistants under this act due to changes in population ~~or~~, gross
20 assessed valuation or both population and gross assessed valuation
21 in any county shall take effect, shall be as of, on ~~and~~ or after the
22 first day of ~~January~~ July based upon the population as shown by the
23 latest Federal Decennial Census for the State of Oklahoma, and the
24 total ~~net~~ gross assessed valuations of tangible taxable properties

1 for such fiscal year as shown by the official certificate which the
2 county assessor files with the county excise board for the purpose
3 of computing appropriations and levies for such current fiscal year.

4 SECTION 6. REPEALER 19 O.S. 2011, Sections 180.64A,
5 180.71, 180.72, 180.73, 180.74, as amended by Section 3, Chapter 27,
6 O.S.L. 2019, 180.75, 180.76, 180.77, 180.78, 180.79, 180.80, 180.81,
7 180.82 and 180.83, as amended by Section 4, Chapter 27, O.S.L. 2019
8 (19 O.S. Supp. 2020, Sections 180.74 and 180.83), are hereby
9 repealed.

10 SECTION 7. This act shall become effective November 1, 2021.

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12 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
13 dated 02/10/2021 - DO PASS, As Coauthored.
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