

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL 1333

By: Hall of the Senate

and

Caldwell (Trey) of the  
House

COMMITTEE SUBSTITUTE

An Act relating to workers' compensation; amending 85 O.S. 2021, Section 380, which relates to the Volunteer Firefighter Group Insurance Pool; establishing transfer of the Pool to the Office of Management and Enterprise Services (OMES); requiring certain funds to remain with CompSource Mutual Insurance Company; providing for purchase of certain insurance for certain volunteer fire departments; allowing OMES to contract with certain entity or hire personnel; construing provision; directing premium payment by certain state entities; increasing contributions to certain premium; establishing reporting and notice requirements; prohibiting certain financial information from use for certain bid determinations; providing for premium increases of certain amount per annum; updating statutory language; updating statutory reference; creating the Volunteer Firefighter Group Insurance Pool Revolving Fund; providing fund purpose; establishing source of fund; providing for codification; providing for recodification; providing an effective date; and declaring an emergency.

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

1       SECTION 1.       AMENDATORY       85 O.S. 2021, Section 380, is  
2 amended to read as follows:

3       Section 380. A. 1. ~~Volunteer~~ Except as provided for in  
4 subsections E through I of this section, volunteer fire departments  
5 organized pursuant to state law may obtain workers' compensation  
6 insurance for volunteer firefighters through the Volunteer  
7 Firefighter Group Insurance Pool pursuant to requirements  
8 established by CompSource Mutual Insurance Company which shall  
9 administer the Pool. For the premium set by CompSource Mutual  
10 Insurance Company, the state shall provide Fifty-five Dollars  
11 (\$55.00) per firefighter per year. Except as otherwise provided by  
12 subsection D of this section, the total amount paid by the state  
13 shall not exceed Three Hundred Twenty Thousand Three Hundred Thirty-  
14 eight Dollars (\$320,338.00) per year or so much thereof as may be  
15 necessary to fund the Volunteer Firefighter Group Insurance Pool.

16       2. CompSource Mutual Insurance Company shall collect the  
17 premium from state agencies, public trusts, and other  
18 instrumentalities of the state. Any funds received by CompSource  
19 Mutual Insurance Company from any state agency, public trust, or  
20 other instrumentality for purposes of workers' compensation  
21 insurance pursuant to this section shall be deposited to the credit  
22 of the Volunteer Firefighter Group Insurance Pool. CompSource  
23 Mutual Insurance Company shall collect premiums, pay claims, and  
24 provide for excess insurance as needed.

1       B. CompSource Mutual Insurance Company shall electronically  
2 report, annually, to the Governor, the Speaker of the ~~Oklahoma~~ House  
3 of Representatives, and the President Pro Tempore of the ~~State~~  
4 Senate the number of enrollees in the Volunteer Firefighter Group  
5 Insurance Pool, and the amount of any anticipated surplus or  
6 deficiency of the Pool; and shall also provide to the Governor, the  
7 Speaker of the ~~Oklahoma~~ House of Representatives and the President  
8 Pro Tempore of the ~~State~~ Senate sixty (60) ~~days~~ days' advance notice  
9 of any proposed change in rates for the Volunteer Firefighter Group  
10 Insurance Pool.

11       C. The amount of claims paid, claim expenses, underwriting  
12 losses, loss ratio, or any other financial aspect of the Volunteer  
13 Firefighter Group Insurance Pool shall not be considered when  
14 determining or considering bids for the amount of any premiums,  
15 rates, or expenses owed by, or any discounts, rebates, dividends, or  
16 other financial benefits owed to any other policyholder of  
17 CompSource Mutual Insurance Company.

18       D. Except as otherwise provided by law, any increase in the  
19 state payment rate for volunteer firefighters under the Volunteer  
20 Firefighter Group Insurance Pool shall not exceed five percent (5%)  
21 per annum. Any proposed change in rates for the Volunteer  
22 Firefighter Group Insurance Pool must be approved by the Board of  
23 Directors of CompSource Mutual Insurance Company with notice  
24 provided pursuant to subsection B of this section. CompSource

1 Mutual Insurance Company shall not increase premiums for the  
2 Volunteer Firefighter Group Insurance Pool more than once per annum.

3 E. 1. The provisions of subsections A through D of this  
4 section shall apply only to workers' compensation claims for  
5 volunteer firefighters incurred prior to the effective date of this  
6 act.

7 2. Not later than the effective date of this act, the Volunteer  
8 Firefighter Group Insurance Pool shall be transferred to the Office  
9 of Management and Enterprise Services Comprehensive Professional  
10 Risk Management Program. Provided, existing reserves from the Pool  
11 shall remain with CompSource Mutual Insurance Company for the  
12 purpose of managing claims incurred prior to the effective date of  
13 this act. All claims incurred on and after the effective date of  
14 this act shall be administered by the Office of Management and  
15 Enterprise Services (OMES).

16 3. OMES may contract with a third-party administrator or hire  
17 not more than two full-time personnel for the purposes of  
18 administering the Pool.

19 4. Nothing in this section shall be construed to permit OMES to  
20 administer workers' compensation to a paid fire department as such  
21 term is defined in Section 29-104.1 of Title 11 of the Oklahoma  
22 Statutes.

23 F. 1. Volunteer fire departments organized pursuant to state  
24 law may obtain workers' compensation insurance for volunteer

1 firefighters through the Volunteer Firefighter Group Insurance Pool  
2 pursuant to requirements established by the Office of Management and  
3 Enterprise Services Comprehensive Professional Risk Management  
4 Program.

5 2. OMES shall collect a premium of One Hundred Twenty Dollars  
6 (\$120.00) per firefighter per year from state agencies, public  
7 trusts, and other instrumentalities of the state. Any funds  
8 received by OMES from any state agency, public trust, or other  
9 instrumentality for purposes of workers' compensation insurance  
10 pursuant to this section shall be deposited to the credit of the  
11 Volunteer Firefighter Group Insurance Pool. OMES shall collect  
12 premiums, pay claims, and provide for excess insurance as needed.

13 G. OMES shall electronically report, annually, to the Governor,  
14 the Speaker of the House of Representatives, and the President Pro  
15 Tempore of the Senate the number of enrollees in the Volunteer  
16 Firefighter Group Insurance Pool, and the amount of any anticipated  
17 surplus or deficiency of the Pool; and shall also provide to the  
18 Governor, the Speaker of the House of Representatives, and the  
19 President Pro Tempore of the Senate sixty (60) days' advance notice  
20 of any proposed change in rates for the Volunteer Firefighter Group  
21 Insurance Pool.

22 H. The amount of claims paid, claim expenses, underwriting  
23 losses, loss ratio, or any other financial aspect of the Volunteer  
24 Firefighter Group Insurance Pool shall not be considered when

1 determining or considering bids for the amount of any premiums,  
2 rates, or expenses owed by, or any discounts, rebates, dividends, or  
3 other financial benefits owed to any other policyholder of OMES.

4 I. Except as otherwise provided by law, any increase in the  
5 state payment rate for volunteer firefighters under the Volunteer  
6 Firefighter Group Insurance Pool shall not exceed five percent (5%)  
7 per annum. Any proposed change in rates for the Volunteer  
8 Firefighter Group Insurance Pool must be approved by the Director of  
9 the Office of Management and Enterprise Services with notice  
10 provided pursuant to subsection G of this section. OMES shall not  
11 increase premiums for the Volunteer Firefighter Group Insurance Pool  
12 more than once per annum.

13 J. For purposes of this section, the term "volunteer fire  
14 departments" includes those volunteer fire departments which have  
15 authorized voluntary or uncompensated workers rendering services as  
16 firefighters and are created by statute pursuant to Section 592 of  
17 Title 18 of the Oklahoma Statutes, Sections 29-201 through ~~29-204~~  
18 29-206 of Title 11 of the Oklahoma Statutes, and those defined by  
19 Section 351 of Title 19 of the Oklahoma Statutes.

20 SECTION 2. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 85.71 of Title 74, unless there  
22 is created a duplication in numbering, reads as follows:

23 There is hereby created in the State Treasury a revolving fund  
24 for the Office of Management and Enterprise Services (OMES) to be

1 designated the "Volunteer Firefighter Group Insurance Pool Revolving  
2 Fund". The fund shall be a continuing fund, not subject to fiscal  
3 year limitations, and shall consist of all monies received by OMES  
4 from appropriations provided for the purpose of administering the  
5 Volunteer Firefighter Group Insurance Pool in the event that no  
6 other funds are available. All monies accruing to the credit of the  
7 fund are hereby appropriated and may be budgeted and expended by  
8 OMES for the purpose provided for in this section. Expenditures  
9 from the fund shall be made upon warrants issued by the State  
10 Treasurer against claims filed as prescribed by law with the  
11 Director of the Office of Management and Enterprise Services for  
12 approval and payment.

13 SECTION 3. RECODIFICATION 85 O.S. 2021, Section 380, as  
14 amended by Section 1 of this act, shall be recodified as Section  
15 85.70 of Title 74 of the Oklahoma Statutes, unless there is created  
16 a duplication in numbering.

17 SECTION 4. This act shall become effective July 1, 2024.

18 SECTION 5. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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