

1 ENGROSSED SENATE  
2 BILL NO. 1333

By: Hall of the Senate

3 and

4 Caldwell (Trey) of the  
5 House

6 An Act relating to workers' compensation; amending 85  
7 O.S. 2021, Section 380, which relates to the  
8 Volunteer Firefighter Group Insurance Pool;  
9 establishing transfer of the Pool to the Office of  
10 Management and Enterprise Services (OMES); requiring  
11 certain funds to remain with CompSource Mutual  
12 Insurance Company; providing for purchase of certain  
13 insurance for certain volunteer fire departments;  
14 allowing OMES to contract with certain entity or hire  
15 personnel; construing provision; directing premium  
16 payment by certain state entities; increasing  
17 contributions to certain premium; establishing  
18 reporting and notice requirements; prohibiting  
19 certain financial information from use for certain  
20 bid determinations; providing for premium increases  
21 of certain amount per annum; updating statutory  
22 language; updating statutory reference; creating the  
23 Volunteer Firefighter Group Insurance Pool Revolving  
24 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:

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

Section 380. A. 1. ~~Volunteer~~ Except as provided for in  
subsections E through I of this section, volunteer fire departments  
organized pursuant to state law may obtain workers' compensation

1 insurance for volunteer firefighters through the Volunteer  
2 Firefighter Group Insurance Pool pursuant to requirements  
3 established by CompSource Mutual Insurance Company which shall  
4 administer the Pool. For the premium set by CompSource Mutual  
5 Insurance Company, the state shall provide Fifty-five Dollars  
6 (\$55.00) per firefighter per year. Except as otherwise provided by  
7 subsection D of this section, the total amount paid by the state  
8 shall not exceed Three Hundred Twenty Thousand Three Hundred Thirty-  
9 eight Dollars (\$320,338.00) per year or so much thereof as may be  
10 necessary to fund the Volunteer Firefighter Group Insurance Pool.

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

20 B. CompSource Mutual Insurance Company shall electronically  
21 report, annually, to the Governor, the Speaker of the ~~Oklahoma~~ House  
22 of Representatives, and the President Pro Tempore of the ~~State~~  
23 Senate the number of enrollees in the Volunteer Firefighter Group  
24 Insurance Pool, and the amount of any anticipated surplus or

1 deficiency of the Pool; and shall also provide to the Governor, the  
2 Speaker of the ~~Oklahoma~~ House of Representatives and the President  
3 Pro Tempore of the ~~State~~ Senate sixty (60) ~~days~~ days' advance notice  
4 of any proposed change in rates for the Volunteer Firefighter Group  
5 Insurance Pool.

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

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

22 E. 1. The provisions of subsections A through D of this  
23 section shall apply only to workers' compensation claims for  
24

1 volunteer firefighters incurred prior to the effective date of this  
2 act.

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

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

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

19 F. 1. Volunteer fire departments organized pursuant to state  
20 law may obtain workers' compensation insurance for volunteer  
21 firefighters through the Volunteer Firefighter Group Insurance Pool  
22 pursuant to requirements established by the Office of Management and  
23 Enterprise Services Comprehensive Professional Risk Management  
24 Program.

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

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

18       H. The amount of claims paid, claim expenses, underwriting  
19       losses, loss ratio, or any other financial aspect of the Volunteer  
20       Firefighter Group Insurance Pool shall not be considered when  
21       determining or considering bids for the amount of any premiums,  
22       rates, or expenses owed by, or any discounts, rebates, dividends, or  
23       other financial benefits owed to any other policyholder of OMES.  
24

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

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

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

20       There is hereby created in the State Treasury a revolving fund  
21 for the Office of Management and Enterprise Services (OMES) to be  
22 designated the "Volunteer Firefighter Group Insurance Pool Revolving  
23 Fund". The fund shall be a continuing fund, not subject to fiscal  
24 year limitations, and shall consist of all monies received by OMES

1 from appropriations provided for the purpose of administering the  
2 Volunteer Firefighter Group Insurance Pool in the event that no  
3 other funds are available. All monies accruing to the credit of the  
4 fund are hereby appropriated and may be budgeted and expended by  
5 OMES for the purpose provided for in this section. Expenditures  
6 from the fund shall be made upon warrants issued by the State  
7 Treasurer against claims filed as prescribed by law with the  
8 Director of the Office of Management and Enterprise Services for  
9 approval and payment.

10 SECTION 3. RECODIFICATION 85 O.S. 2021, Section 380, as  
11 amended by Section 1 of this act, shall be recodified as Section  
12 85.70 of Title 74 of the Oklahoma Statutes, unless there is created  
13 a duplication in numbering.

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

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

1 Passed the Senate the 5th day of March, 2024.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2024.

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9 Presiding Officer of the House  
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