

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1333

By: Hall

AS INTRODUCED

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; requiring certain funds to remain with CompSource Mutual Insurance Company; providing for purchase of certain insurance for certain volunteer fire departments; 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; 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 insurance for volunteer firefighters through the Volunteer Firefighter Group Insurance Pool pursuant to requirements

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

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

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

1 Pro Tempore of the ~~State~~ Senate sixty (60) ~~days~~ days' advance notice
2 of any proposed change in rates for the Volunteer Firefighter Group
3 Insurance Pool.

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

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

20 E. 1. The provisions of subsections A through D of this
21 section shall apply only to workers' compensation claims for
22 volunteer firefighters incurred prior to the effective date of this
23 act.

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

9 F. 1. Volunteer fire departments organized pursuant to state
10 law may obtain workers' compensation insurance for volunteer
11 firefighters through the Volunteer Firefighter Group Insurance Pool
12 pursuant to requirements established by the Office's Comprehensive
13 Professional Risk Management Program.

14 2. The Office shall collect a premium of One Hundred Twenty
15 Dollars (\$120.00) per firefighter per year from state agencies,
16 public trusts, and other instrumentalities of the state. Any funds
17 received by the Office from any state agency, public trust, or other
18 instrumentality for purposes of workers' compensation insurance
19 pursuant to this section shall be deposited to the credit of the
20 Volunteer Firefighter Group Insurance Pool. The Office shall
21 collect premiums, pay claims, and provide for excess insurance as
22 needed.

23 G. The Office shall electronically report, annually, to the
24 Governor, the Speaker of the House of Representatives, and the

1 President Pro Tempore of the Senate the number of enrollees in the
2 Volunteer Firefighter Group Insurance Pool, and the amount of any
3 anticipated surplus or deficiency of the Pool; and shall also
4 provide to the Governor, the Speaker of the House of
5 Representatives, and the President Pro Tempore of the Senate sixty
6 (60) days' advance notice of any proposed change in rates for the
7 Volunteer Firefighter Group Insurance Pool.

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

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

23 J. For purposes of this section, the term "volunteer fire
24 departments" includes those volunteer fire departments which have

1 authorized voluntary or uncompensated workers rendering services as
2 firefighters and are created by statute pursuant to Section 592 of
3 Title 18 of the Oklahoma Statutes, Sections 29-201 through ~~29-204~~
4 29-206 of Title 11 of the Oklahoma Statutes, and those defined by
5 Section 351 of Title 19 of the Oklahoma Statutes.

6 SECTION 2. RECODIFICATION 85 O.S. 2021, Section 380, as
7 amended by Section 1 of this act, shall be recodified as Section
8 85.59 of Title 74 of the Oklahoma Statutes, unless there is created
9 a duplication in numbering.

10 SECTION 3. This act shall become effective July 1, 2024.

11 SECTION 4. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 59-2-2840 RD 12/14/2023 2:08:00 PM