

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1939

By: Boles and Perryman

5
6
7 COMMITTEE SUBSTITUTE

8 An Act relating to counties and county officers;
9 providing applicability; setting basic salary range
10 for county officers; directing the board of county
11 commissioners to set basic salaries; directing
12 payment frequency; authorizing increases to basic
13 salaries of certain county officers; defining term;
14 requiring county officers receive the same salary
15 increase; providing applicability; setting basic
16 salary range for county officers; directing the board
17 of county commissioners to set basic salaries;
18 directing payment frequency; authorizing increases to
19 basic salaries of certain county officers; defining
20 term; requiring county officers receive the same
21 salary increase; amending 19 O.S. 2011, Sections
22 180.62, 180.63, 180.68, 180.74, 180.75 and 180.83,
23 which relate to county officer salaries; limiting
24 applicability of certain basic salary calculations;
limiting applicability of certain calculations for
increases to basic salaries; modifying dates on which
changes in salaries and rates of pay take effect;
providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 180.62a of Title 19, unless
there is created a duplication in numbering, reads as follows:

1 A. The provisions of this section shall apply to county
2 officers whose terms begin on or after November 1, 2019, in all
3 counties which do not approve an exemption of household goods of the
4 heads of families and livestock employed in support of the family
5 from ad valorem taxation pursuant to the provisions of Section 6 of
6 Article X of the Oklahoma Constitution.

7 B. The basic salaries of the county officers upon which all
8 salaries and future increases or decreases thereof shall be computed
9 shall not be less than Nineteen Thousand Dollars (\$19,000.00) per
10 annum nor shall they exceed Forty-four Thousand Five Hundred Dollars
11 (\$44,500.00).

12 C. The board of county commissioners shall set the basic
13 salaries for all elected county officials within the limits allowed
14 by law; provided, the salaries of all county officials shall be the
15 same.

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

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 180.63a of Title 19, unless
22 there is created a duplication in numbering, reads as follows:

23 A. The provisions of this section shall apply to county
24 officers whose terms begin on or after November 1, 2019, in all

1 counties which do not approve an exemption of household goods of the
2 heads of families and livestock employed in support of the family
3 from ad valorem taxation pursuant to the provisions of Section 6 of
4 Article X of the Oklahoma Constitution.

5 B. The salaries of the county officers may be increased from
6 the applicable basic salaries named in Section 1 of this act,
7 provided that by majority vote the county commissioners, at a public
8 meeting, agree there are sufficient revenues in the current budget
9 to accept the increases provided in this section, according to the
10 following scale:

11 1. To the basic salary:

12 a. add the product of One Hundred Dollars (\$100.00) times
13 each One Million Dollars (\$1,000,000.00) net assessed
14 valuation, or major fraction thereof, until a net
15 assessed valuation of Seventy-five Million Dollars
16 (\$75,000,000.00) is reached,

17 b. thereafter add the product of One Hundred Dollars
18 (\$100.00) times each additional Five Million Dollars
19 (\$5,000,000.00) net assessed valuation, or major
20 fraction thereof, until a net assessed valuation of
21 Five Hundred Million Dollars (\$500,000,000.00) is
22 reached,

23 c. thereafter add the product of One Hundred Twenty-five
24 Dollars (\$125.00) times each additional Seven Million

1 Dollars (\$7,000,000.00) net assessed valuation, or
2 major fraction thereof, until a net valuation of Two
3 Billion Dollars (\$2,000,000,000.00) is reached, and
4 d. thereafter as to all additional net valuation add the
5 product of One Hundred Twenty-five Dollars (\$125.00)
6 times each additional Twenty Million Dollars
7 (\$20,000,000.00) net valuation, or major fraction
8 thereof; and

9 2. The salary of each county officer may be additionally
10 increased from the basic salaries named in Section 1 of this act,
11 and the additions thereto heretofore provided in this section, for
12 population or service-load, provided that by majority vote the
13 county commissioners, at a public meeting, agree there are
14 sufficient revenues in the current budget to accept the increases
15 provided in this section, according to the following scale:

- 16 a. the product of Twelve Dollars and fifty cents (\$12.50)
17 times each one thousand (1,000) population, or major
18 fraction thereof, until a population of seventy-five
19 thousand (75,000) is reached,
20 b. thereafter add the product of Twelve Dollars and fifty
21 cents (\$12.50) times each additional five thousand
22 (5,000) population, or major fraction thereof, until a
23 population of one hundred fifty thousand (150,000) is
24 reached, and

1 c. thereafter add the product of Twelve Dollars and fifty
2 cents (\$12.50) times each additional ten thousand
3 (10,000) population, or major fraction thereof.

4 C. For purposes of this section, "net assessed valuation" means
5 the percentage of the fair cash value of personal property, or the
6 percentage of the taxable fair cash value of real property, pursuant
7 to the provisions of Sections 8 and 8B of Article X of the Oklahoma
8 Constitution, either of individual items of personal property,
9 parcels of real property or the aggregate total of such individual
10 taxable items or parcels within a jurisdiction.

11 D. Any increases from the basic salary implemented under the
12 provisions of this section shall apply to all county officers so
13 that all county officers maintain the same salary.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 180.74a of Title 19, unless
16 there is created a duplication in numbering, reads as follows:

17 A. The provisions of this section shall apply to county
18 officers whose terms begin on or after November 1, 2019, in all
19 counties which approve an exemption of household goods of the heads
20 of families and livestock employed in support of the family from ad
21 valorem taxation pursuant to the provisions of Section 6 of Article
22 X of the Oklahoma Constitution.

23 B. The basic salaries of the county officers upon which all
24 salaries and future increases or decreases thereof shall be computed

1 shall not be less than Nineteen Thousand Dollars (\$19,000.00) per
2 annum nor shall they exceed Forty-four Thousand Five Hundred Dollars
3 (\$44,500.00).

4 C. The board of county commissioners shall set the basic
5 salaries for all elected county officials within the limits allowed
6 by law; provided, the salaries of all county officials shall be the
7 same.

8 D. The annual salaries fixed by this act shall be paid either
9 monthly or twice a month, by order of the board of county
10 commissioners, for each month or fraction thereof the incumbent
11 lawfully occupies and holds title to such office.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 180.75a of Title 19, unless
14 there is created a duplication in numbering, reads as follows:

15 A. The provisions of this section shall apply to county
16 officers whose terms begin on or after November 1, 2019, in every
17 county in this state which approves an exemption of household goods
18 of the heads of families and livestock employed in support of the
19 family from ad valorem taxation pursuant to the provisions of
20 Section 6 of Article X of the Oklahoma Constitution. The salaries
21 of all county officers may be increased from the applicable basic
22 salaries named in Section 3 of this act, provided that by majority
23 vote the county commissioners, at a public meeting, agree there are
24

1 sufficient revenues in the current budget to accept the increases
2 provided in this section, according to the following scale:

3 1. To the basic salary:

4 a. add the product of One Hundred Dollars (\$100.00) times
5 each Ten Thousand Dollars (\$10,000.00) of revenue
6 authorized to be collected for county purposes, or
7 major fraction thereof, until the amount of such
8 revenue equals Seven Hundred Fifty Thousand Dollars
9 (\$750,000.00),

10 b. thereafter add the product of One Hundred Dollars
11 (\$100.00) times each additional Fifty Thousand Dollars
12 (\$50,000.00) of revenue authorized to be collected for
13 county purposes, or major fraction thereof, until the
14 amount of such revenue equals Five Million Dollars
15 (\$5,000,000.00),

16 c. thereafter add the product of One Hundred Twenty-five
17 Dollars (\$125.00) times each additional Seventy
18 Thousand Dollars (\$70,000.00) of revenue authorized to
19 be collected for county purposes, or major fraction
20 thereof, until the amount of such revenue equals
21 Twenty Million Dollars (\$20,000,000.00), and

22 d. thereafter as to all additional revenue which is
23 authorized to be collected for county purposes add the
24 product of One Hundred Twenty-five Dollars (\$125.00)

1 times each additional Two Hundred Thousand Dollars
2 (\$200,000.00) of such revenue, or major fraction
3 thereof; and

4 2. The salary of each county officer shall be additionally
5 increased from the basic salaries named in Section 3 of this act,
6 and the additions to the basic salaries as provided in this section,
7 for population or service-load according to the following scale:

8 a. the product of Twelve Dollars and fifty cents (\$12.50)
9 times each one thousand (1,000) population, or major
10 fraction thereof, until a population of seventy-five
11 thousand (75,000) is reached,

12 b. thereafter the product of Twelve Dollars and fifty
13 cents (\$12.50) times each additional five thousand
14 (5,000) population, or major fraction thereof, until a
15 population of one hundred fifty thousand (150,000) is
16 reached, and

17 c. thereafter add the product of Twelve Dollars and fifty
18 cents (\$12.50) times each additional ten thousand
19 (10,000) population, or major fraction thereof.

20 B. As used in this section, "major fraction thereof" means any
21 amount greater than one-half (1/2).

22 C. Any increases from the basic salary implemented under the
23 provisions of this section shall apply to all county officers so
24 that all county officers maintain the same salary.

1 SECTION 5. AMENDATORY 19 O.S. 2011, Section 180.62, is
2 amended to read as follows:

3 Section 180.62 A. The basic salaries of county officers upon
4 which all salaries and future increases or decreases thereof shall
5 be computed, shall be as follows:

6 1. In every county having a net valuation of all tangible
7 taxable property, as defined in Sections 180.58 and 180.59 of this
8 title, of Forty Million Dollars (\$40,000,000.00) or less, the basic
9 salary of each of the county officers named in paragraph 1 of
10 Section 180.61 of this title shall not be less than Nineteen
11 Thousand Dollars (\$19,000.00) per annum nor shall it exceed Thirty-
12 nine Thousand Dollars (\$39,000.00) per annum;

13 2. In every county having a net valuation of all tangible
14 taxable property, as defined in Sections 180.58 and 180.59 of this
15 title, of more than Forty Million Dollars (\$40,000,000.00) but not
16 more than Eighty Million Dollars (\$80,000,000.00), the basic salary
17 of each of the county officers named in paragraph 1 of Section
18 180.61 of this title shall not be less than Twenty-two Thousand Five
19 Hundred Dollars (\$22,500.00) per annum nor shall it exceed Forty-two
20 Thousand Five Hundred Dollars (\$42,500.00) per annum;

21 3. In every county having a net valuation of all tangible
22 taxable property, as defined in Sections 180.58 and 180.59 of this
23 title, of more than Eighty Million Dollars (\$80,000,000.00) but not
24 more than Three Hundred Million Dollars (\$300,000,000.00), the basic

1 salary of each of the county officers named in paragraph 1 of
2 Section 180.61 of this title shall not be less than Twenty-four
3 Thousand Five Hundred Dollars (\$24,500.00) per annum nor shall it
4 exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00) per
5 annum;

6 4. In every county having a net valuation of all tangible
7 taxable property, as defined in Sections 180.58 and 180.59 of this
8 title, of more than Three Hundred Million Dollars (\$300,000,000.00)
9 but not more than Six Hundred Million Dollars (\$600,000,000.00), the
10 basic salary of each of the county officers named in paragraph 1 of
11 Section 180.61 of this title shall not be less than Twenty-two
12 Thousand Five Hundred Dollars (\$22,500.00) per annum nor shall it
13 exceed Forty-two Thousand Five Hundred Dollars (\$42,500.00) per
14 annum; and

15 5. In every county having a net valuation of all tangible
16 taxable property, as defined in Sections 180.58 and 180.59 of this
17 title, of more than Six Hundred Million Dollars (\$600,000,000.00),
18 the basic salary of each of the county officers named in paragraph 1
19 of Section 180.61 of this title shall not be less than Nineteen
20 Thousand Dollars (\$19,000.00) per annum nor shall it exceed Thirty-
21 nine Thousand Dollars (\$39,000.00) per annum.

22 B. The board of county commissioners shall set the salaries for
23 all elected county officials within the limits allowed by law.

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

5 D. The provisions of this section shall only be applicable to
6 the salaries of county officers whose terms begin prior to November
7 1, 2019.

8 SECTION 6. AMENDATORY 19 O.S. 2011, Section 180.63, is
9 amended to read as follows:

10 Section 180.63 A. In every county in this state, the salary of
11 all county officers named in paragraph 1 of Section 180.61 of this
12 title may be increased from the applicable basic salary named in
13 Section 180.62 of this title, for net valuation or serviceability,
14 according to the following scale:

15 ~~A. 1.~~ To the basic salary:

16 ~~1. Add~~

17 a. add the product of One Hundred Dollars (\$100.00) times
18 each One Million Dollars (\$1,000,000.00) net
19 valuation, or major fraction thereof, until a net
20 valuation of Seventy-five Million Dollars
21 (\$75,000,000.00) is reached, u

22 ~~2. Thereafter~~

23 b. thereafter add the product of One Hundred Dollars
24 (\$100.00) times each additional Five Million Dollars

1 (\$5,000,000.00) net valuation, or major fraction
2 thereof, until a net valuation of Five Hundred Million
3 Dollars (\$500,000,000.00) is reached,

4 ~~3. Thereafter~~

5 c. thereafter add the product of One Hundred Twenty-five
6 Dollars (\$125.00) times each additional Seven Million
7 Dollars (\$7,000,000.00) net valuation, or major
8 fraction thereof, until a net valuation of Two Billion
9 Dollars (\$2,000,000,000.00) is reached, and

10 ~~4. Thereafter~~

11 d. thereafter as to all additional net valuation add the
12 product of One Hundred Twenty-five Dollars (\$125.00)
13 times each additional Twenty Million Dollars
14 (\$20,000,000.00) net valuation, or major fraction
15 thereof; and

16 ~~B. 2.~~ Also, the salary of each county officer shall be
17 additionally increased from the basic ~~salary~~ salaries named in
18 Section 180.62 of this title, and the additions thereto heretofore
19 provided in this section, for population or service-load according
20 to the following scale:

21 ~~1. The~~

22 a. the product of Twelve Dollars and fifty cents (\$12.50)
23 times each one thousand (1,000) population, or major
24

1 fraction thereof, until a population of seventy-five
2 thousand (75,000) is reached; ~~thereafter,~~

3 ~~2. The~~

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

9 ~~3. The~~

10 c. thereafter add the product of Twelve Dollars and fifty
11 cents (\$12.50) times each additional ten thousand
12 (10,000) population, or major fraction thereof.

13 ~~C. B.~~ This section shall not reduce the present salary of any
14 county officer in Oklahoma during ~~their~~ his or her present term of
15 office.

16 C. The provisions of this section shall only be applicable to
17 the salaries of county officers whose terms begin prior to November
18 1, 2019.

19 SECTION 7. AMENDATORY 19 O.S. 2011, Section 180.68, is
20 amended to read as follows:

21 Section 180.68 The date on which changes in the salaries and
22 rates of pay for county officers and their deputies, aides and
23 assistants under this act due to changes in population or valuation
24 in any county shall take effect, shall be as of, on and after the

1 first day of ~~July of each fiscal year~~ January based upon the
2 population as shown by the latest Federal Decennial Census for the
3 State of Oklahoma, and the total net assessed valuations of tangible
4 properties for such year as shown by the official certificate which
5 the county assessor files with the county excise board for the
6 purpose of computing appropriations and levies for such current
7 fiscal year.

8 SECTION 8. AMENDATORY 19 O.S. 2011, Section 180.74, is
9 amended to read as follows:

10 Section 180.74 A. The basic salaries of county officers upon
11 which all salaries and future increases or decreases thereof shall
12 be computed, shall be as follows:

13 1. In every county having a service-ability factor, as defined
14 in Section 180.71 of this title, of Four Hundred Thousand Dollars
15 (\$400,000.00) or less, the basic salary of each of the county
16 officers named in Section 180.73 of this title shall not be less
17 than Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it
18 exceed Thirty-nine Thousand Dollars (\$39,000.00) per annum;

19 2. In every county having a service-ability factor, as defined
20 in Section 180.71 of this title, of more than Four Hundred Thousand
21 Dollars (\$400,000.00) but not more than Eight Hundred Thousand
22 Dollars (\$800,000.00), the basic salary of each of the county
23 officers named in Section 180.73 of this title shall not be less
24 than Twenty-two Thousand Five Hundred Dollars (\$22,500.00) per annum

1 nor shall it exceed Forty-two Thousand Five Hundred Dollars
2 (\$42,500.00) per annum;

3 3. In every county having a service-ability factor, as defined
4 in Section 180.71 of this title, of more than Eight Hundred Thousand
5 Dollars (\$800,000.00) but not more than Three Million Dollars
6 (\$3,000,000.00), the basic salary of each of the county officers
7 named in Section 180.73 of this title shall not be less than Twenty-
8 four Thousand Five Hundred Dollars (\$24,500.00) per annum nor shall
9 it exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00) per
10 annum;

11 4. In every county having a service-ability factor, as defined
12 in Section 180.71 of this title, of more than Three Million Dollars
13 (\$3,000,000.00) but not more than Ten Million Dollars
14 (\$10,000,000.00), the basic salary of each of the county officers
15 named in Section 180.73 of this title shall not be less than Twenty-
16 two Thousand Five Hundred Dollars (\$22,500.00) per annum nor shall
17 it exceed Forty-two Thousand Five Hundred Dollars (\$42,500.00) per
18 annum; and

19 5. In every county having a service-ability factor, as defined
20 in Section 180.71 of this title, of more than Ten Million Dollars
21 (\$10,000,000.00), the basic salary of each of the county officers
22 named in Section 180.73 of this title shall not be less than
23 Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it exceed
24 Thirty-nine Thousand Dollars (\$39,000.00) per annum.

1 B. The board of county commissioners shall set the salaries for
2 all elected county officials within the limits allowed by law.

3 C. The annual salaries fixed by Section 180.71 of this title
4 shall be paid either monthly or twice a month, by order of the board
5 of county commissioners, for each month or fraction thereof the
6 incumbent lawfully occupies and holds title to such office.

7 D. The provisions of this section shall only be applicable to
8 the salaries of county officers whose terms begin prior to November
9 1, 2019.

10 SECTION 9. AMENDATORY 19 O.S. 2011, Section 180.75, is
11 amended to read as follows:

12 Section 180.75 A. In every county in this state which approves
13 an exemption of household goods of the heads of families and
14 livestock employed in support of the family from ad valorem taxation
15 pursuant to the provisions of Section 6 of Article X of the Oklahoma
16 Constitution, the salary of all county officers named in paragraph 1
17 of Section 180.73 of this title may be increased from the applicable
18 basic salary named in Section 180.74 of this title, for the factor
19 of service-ability, as defined in Section 180.71 of this title,
20 according to the following scale:

21 1. To the basic salary:

22 a. add the product of One Hundred Dollars (\$100.00) times
23 each Ten Thousand Dollars (\$10,000.00) of revenue
24 authorized to be collected for county purposes, or

1 major fraction thereof, until the amount of such
2 revenue equals Seven Hundred Fifty Thousand Dollars
3 (\$750,000.00),

4 b. thereafter add the product of One Hundred Dollars
5 (\$100.00) times each additional Fifty Thousand Dollars
6 (\$50,000.00) of revenue authorized to be collected for
7 county purposes, or major fraction thereof, until the
8 amount of such revenue equals Five Million Dollars
9 (\$5,000,000.00),

10 c. thereafter add the product of One Hundred Twenty-five
11 Dollars (\$125.00) times each additional Seventy
12 Thousand Dollars (\$70,000.00) of revenue authorized to
13 be collected for county purposes, or major fraction
14 thereof, until the amount of such revenue equals
15 Twenty Million Dollars (\$20,000,000.00), and

16 d. thereafter as to all additional revenue which is
17 authorized to be collected for county purposes add the
18 product of One Hundred Twenty-five Dollars (\$125.00)
19 times each additional Two Hundred Thousand Dollars
20 (\$200,000.00) of such revenue, or major fraction
21 thereof; and

22 2. The salary of each county officer shall be additionally
23 increased from the basic salary named in Section 180.74 of this
24 title, and the additions to the basic salary as provided in this

1 section, for population or service_load according to the following
2 scale:

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

7 b. thereafter add the product of Twelve Dollars and fifty
8 cents (\$12.50) times each additional five thousand
9 (5,000) population, or major fraction thereof, until a
10 population of one hundred fifty thousand (150,000) is
11 reached, and

12 c. thereafter add the product of Twelve Dollars and fifty
13 cents (\$12.50) times each additional ten thousand
14 (10,000) population, or major fraction thereof.

15 B. This section shall not reduce the present salary of any
16 county officer in Oklahoma during ~~their~~ his or her present term of
17 office.

18 C. As used in this section, "major fraction thereof" means any
19 amount greater than one-half (1/2).

20 D. The provisions of this section shall only be applicable to
21 the salaries of county officers whose terms begin prior to November
22 1, 2019.

23 SECTION 10. AMENDATORY 19 O.S. 2011, Section 180.83, is
24 amended to read as follows:

1 Section 180.83 The date on which changes in the salaries and
2 rates of pay for county officers and their deputies, aides and
3 assistants under this act due to changes in population or the amount
4 of revenue authorized to be collected for county purposes in any
5 county shall take effect, shall be as of, on and after the first day
6 of ~~July of each fiscal year~~ January based upon the population as
7 shown by the latest Federal Decennial Census for the State of
8 Oklahoma, and the total amount of revenue authorized to be collected
9 from the millage rate levied against the taxable valuation of
10 property within the county which is apportioned for county purposes
11 pursuant to subsection (a) of Section 9 of Article X of the Oklahoma
12 Constitution for such current fiscal year.

13 SECTION 11. This act shall become effective November 1, 2019.

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