

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2222

By: May

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6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2011, Section 50001, as last amended by Section
9 1, Chapter 232, O.S.L. 2017 (68 O.S. Supp. 2018,
10 Section 50001), which relates to tax levy on certain
11 gross insurance premiums; modifying apportionment of
12 revenues; providing for apportionment of specific
13 dollar amount to Fire Marshal Fund; providing for
14 apportionment of specific percentage of apportionment
15 to General Revenue Fund of State Treasury; providing
16 for apportionment of remaining revenues to General
17 Revenue Fund of State Treasury; providing an
18 effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 68 O.S. 2011, Section 50001, as
last amended by Section 1, Chapter 232, O.S.L. 2017 (68 O.S. Supp.
2018, Section 50001), is amended to read as follows:

Section 50001. A. There is hereby levied upon percentages of
fire insurance gross premiums from a sum of the following lines of
insurance: fire, allied, homeowners multiperil, commercial
multiperil, growing crops, ocean marine, inland marine, auto
physical damage (including collision), and aircraft physical damage,

1 less returns and dividends to policyholders, which is issued in this
2 state by companies doing business in this state a tax of five-
3 sixteenths of one percent (5/16 of 1%). The percentages of fire
4 insurance gross premiums to be considered for taxation shall be
5 determined annually by the Commissioner. This tax shall be
6 collected annually, by the last day of February, from companies
7 collecting such premiums and shall be collected by the Insurance
8 Commissioner as other taxes on insurance are collected. The
9 Insurance Commissioner shall keep a separate account of all such
10 monies received and shall pay the same to the State Treasurer.

11 B. There is hereby created in the State Treasury a fund for the
12 Fire Marshal Commission and the State Fire Marshal to be designated
13 the "Fire Marshal Fund". The fund shall consist of all monies
14 collected pursuant to the provisions of this section and shall be
15 used in the performance of duties imposed by law upon the Fire
16 Marshal Commission and the Office of the State Fire Marshal.
17 Expenditures from the Fire Marshal Fund shall be made upon warrants
18 issued by the State Treasurer against claims filed as prescribed by
19 law with the Director of the Office of Management and Enterprise
20 Services for approval and payment. Beginning July 1, 1982, all
21 expenditures from the Fire Marshal Fund shall be made pursuant only
22 to legislative appropriation.

23 C. All monies annually collected pursuant to the provisions of
24 this section shall be apportioned as follows:

1 1. For the fiscal year beginning July 1, 2017, the first One
2 Million Six Hundred Thousand Dollars (\$1,600,000.00) shall be
3 deposited in the State Fire Marshal Revolving Fund as defined in
4 Section 324.20b of Title 74 of the Oklahoma Statutes; provided, that
5 ten percent (10%) of the first One Million Six Hundred Thousand
6 Dollars (\$1,600,000.00) shall be paid into the General Revenue Fund
7 of this state;

8 2. For the fiscal year beginning July 1, 2018, ~~and for every~~
9 ~~subsequent fiscal year thereafter,~~ the first Two Million Dollars
10 (\$2,000,000.00) shall be deposited in the Fire Marshal Fund;
11 provided, that ten percent (10%) of the first Two Million Dollars
12 (\$2,000,000.00) shall be paid into the General Revenue Fund of this
13 state; and

14 3. ~~Any remaining monies not apportioned pursuant to paragraphs~~
15 ~~1 and 2 of this subsection~~ For the fiscal year beginning July 1,
16 2019, and for every subsequent fiscal year thereafter, the first Two
17 Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be
18 deposited in the Fire Marshal Fund; provided, that ten percent (10%)
19 of the first Two Million Five Hundred Thousand Dollars
20 (\$2,500,000.00) shall be deposited into the General Revenue Fund of
21 this state and any remaining monies not otherwise apportioned
22 pursuant to this paragraph shall be paid into the General Revenue
23 Fund.

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1 D. Employees of the Office of State Fire Marshal, other than
2 the State Fire Marshal, shall have salaries commensurate with those
3 fixed by the Merit System of Personnel Administration. All salaries
4 shall be payable monthly from funds available to the State Fire
5 Marshal. The State Fire Marshal, subject to confirmation by the
6 Fire Marshal Commission, shall appoint and fix the salaries of such
7 employees as are necessary to fulfill the duties of his office.

8 SECTION 2. This act shall become effective July 1, 2019.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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