

1 **SENATE FLOOR VERSION**

2 February 25, 2025

3 SENATE BILL NO. 901

By: Reinhardt

4
5
6 An Act relating to the Office of Management and
7 Enterprise Services; amending 74 O.S. 2021, Section
8 85.58B, which relates to the Risk Management Program;
9 updating statutory language; prohibiting Office of
10 Management and Enterprise Services from promoting or
11 marketing certain insurance products; and providing
12 an effective date.

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

14 SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.58B, is
15 amended to read as follows:

16 Section 85.58B. A. The Risk Management Administrator, pursuant
17 to the provisions of this section and Section 85.34 of this title,
18 may obtain or provide insurance coverage for any vehicle, vessel or
19 aircraft used for or in ~~fire fighting~~ firefighting or services
20 provided by the districts, departments and services specified in
21 subsection D of this section and may obtain or provide indemnity
22 coverage for any board member, official, employee or volunteer of
23 any entity specified in subsection D of this section for any errors
24 and omissions or liability risks arising from the performance of
their official duties pursuant to law.

1 B. The Risk Management Administrator, pursuant to the
2 provisions of this section and Section 85.34 of this title, may
3 obtain or provide insurance coverage for any building used for or in
4 ~~fire fighting~~ firefighting or services specified in subsection D of
5 this section. If a fire department, district or service specified
6 in subsection D of this section is housed in a building with any
7 department or unit of local governmental entities, the Risk
8 Management Administrator may also obtain or provide building or
9 structure insurance coverage for such department or unit in such
10 building.

11 C. The Risk Management Administrator is authorized to determine
12 eligibility criteria for participation in the Risk Management
13 Program by such districts, departments and services or for such
14 member, officer, employee or volunteer. In addition, the Risk
15 Management Administrator is authorized to establish equipment and
16 safety standards for the vehicles, vessels, aircraft or buildings to
17 be covered by the Risk Management Program.

18 D. The Risk Management Administrator may obtain or provide the
19 insurance coverage authorized by subsection A of this section for:

20 1. Fire protection districts organized and operated pursuant to
21 the provisions of Sections 901.1 through 901.29 of Title 19 of the
22 Oklahoma Statutes;

23 2. Volunteer or full-time fire departments established pursuant
24 to Section 592 of Title 18 of the Oklahoma Statutes;

1 3. Municipal fire departments organized and operated pursuant
2 to the provisions of Sections 29-101 through 29-108, and Sections
3 29-201 through 29-205 of Title 11 of the Oklahoma Statutes;

4 4. Fire protection services established pursuant to the
5 provisions of Section 351 of Title 19 of the Oklahoma Statutes; and

6 5. Rural fire coordinators employed by substate planning
7 districts acting pursuant to rural fire defense programs.

8 E. The governing authorities of such fire departments, fire
9 protection districts and fire protection services shall be required
10 to make payments for such insurance coverage as provided by Section
11 85.37 of this title.

12 F. Requests for the insurance or indemnity coverage provided
13 pursuant to the provisions of this section shall be submitted in
14 writing to the Risk Management Administrator by the fire
15 departments, fire protection districts or fire protection services
16 specified in subsection C of this section. Those fire departments,
17 fire protection districts or fire protection services meeting
18 eligibility criteria shall be approved for participation in the Risk
19 Management Program by the Risk Management Administrator if the
20 member, officer, employee or volunteer, and the vehicles, vessels,
21 aircraft and buildings used by districts, services or departments
22 meet the equipment and safety standards and eligibility requirements
23 established by the Risk Management Administrator.

1 G. Any insurance or indemnity coverage shall be obtained or
2 provided solely from funds available in the shared risk pool
3 authorized by Section 85.34B of this title. Any coverage limits
4 shall be based on the liquidity of the shared risk pool resulting
5 from the annual payments made pursuant to Section 85.37 of this
6 title and any interest accrued thereon, after deduction of such sums
7 as may be necessary to pay all overhead and administrative expenses
8 associated with administering the pool.

9 H. Any limited indemnity coverage provided for errors and
10 omissions pursuant to the provisions of this subsection shall only
11 cover errors or omissions made by a board member, official, employee
12 or volunteer of any entity specified in subsection C of this section
13 occurring after the effective date of this act.

14 I. The State of Oklahoma is not liable, directly or indirectly,
15 for the errors and omissions of any board member, official, employee
16 or volunteer of any entity specified in subsection C of this section
17 in the performance of his official duties pursuant to law. The
18 State of Oklahoma is not liable, directly or indirectly, for the
19 negligence of any entity specified in subsection C of this section.

20 J. In providing risk management services for any entity
21 specified by subsection C of this section or any such board member,
22 official, employee or volunteer of such entity, it is the intention
23 of the Legislature to provide coverage solely to the extent of
24

1 assets in the shared risk pool created by Section 85.34B of this
2 title.

3 K. Any liability insurance coverage obtained or provided shall
4 include expenses for legal services obtained or provided by the Risk
5 Management Administrator.

6 L. Except as provided in this section, the Office of Management
7 and Enterprise Services shall not promote or market other forms of
8 insurance in conjunction with the Risk Management Program provisions
9 provided in this section.

10 SECTION 2. This act shall become effective November 1, 2025.

11 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND GOVERNMENT
12 RESOURCES
13 February 25, 2025 - DO PASS
14
15
16
17
18
19
20
21
22
23
24