

An Act

ENROLLED HOUSE
BILL NO. 1064

By: Boles, Burns and Bell of
the House

and

Kidd of the Senate

An Act relating to counties and county officers; amending 19 O.S. 2011, Sections 180.58, 180.59, 180.62, as amended by Section 1, Chapter 27, O.S.L. 2019, 180.63 and 180.68, as amended by Section 2, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Sections 180.62 and 180.68), which relate to salary and compensation; modifying applicability; modifying description of certain property; modifying valuation of certain property; increasing certain base salary range; requiring increase in county officer salary; reformulating salary increase calculation; updating description of certain property; modifying date changes in salaries shall take effect; repealing 19 O.S. 2011, Sections 180.64A, 180.71, 180.72, 180.73, 180.74, as amended by Section 3, Chapter 27, O.S.L. 2019, 180.75, 180.76, 180.77, 180.78, 180.79, 180.80, 180.81, 180.82 and 180.83, as amended by Section 4, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Sections 180.74 and 180.83), which relate to salary and compensation; and providing an effective date.

SUBJECT: Counties and county officers

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 180.58, is amended to read as follows:

Section 180.58 A. Sections 180.58 through 180.68 of this title shall apply to all counties ~~which do not approve an exemption of household goods of the heads of families and livestock employed in support of the family from ad valorem taxation pursuant to the provisions of Section 6 of Article X of the Oklahoma Constitution.~~

B. The purpose of Sections 180.58 through 180.68 of this title is to codify and revise the laws of the state relating to the salaries and wages of county officers and their deputies and employees, and to establish said salaries and wages by general law applicable throughout the state under a uniform schedule fixing such salaries and wages and future increases and reductions thereof upon the following bases:

1. The available revenues of the several counties out of which such salaries and wages may be paid;
2. The amount of services required to be performed;
3. The monetary value of such services in relation to that of nongovernmental services of similar nature in the areas wherein such services are performed; and
4. The relative amounts of services required of the various county officers, their deputies and employees upon investigation and full consideration of the applicable facts.

C. The Legislature has determined that the foregoing bases of such schedule gradations generally are cognate to the combination of the following factors:

1. The ~~net~~ gross assessed valuation of all tangible taxable property of the county ~~(total taxable valuation less homestead exemption allowances except those additional homestead exemptions authorized and allowed pursuant to Section 2890 of Title 68 of the Oklahoma Statutes),~~ hereinafter referred to as "service-ability"; and

2. The population of the county, hereinafter referred to as the "service-load".

The application of said factors properly establishes a rational and relevant formula for uniformity of salaries and wages and of future increases and decreases thereof.

SECTION 2. AMENDATORY 19 O.S. 2011, Section 180.59, is amended to read as follows:

Section 180.59 The ~~net~~ gross assessed total tangible property valuation for ad valorem tax purposes in each county, or serviceability factor, shall be determined from the county assessor's certificate of such valuations as filed with the excise board of the county for the purpose of computation of ad valorem tax levies of each year, and no subsequent amendments thereto to effect an increase or decrease in such valuations shall have any effect for such year whatsoever.

SECTION 3. AMENDATORY 19 O.S. 2011, Section 180.62, as amended by Section 1, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Section 180.62), is amended to read as follows:

Section 180.62 A. The basic salaries of county officers upon which all salaries and future increases or decreases thereof shall not be less than Nineteen Thousand Dollars (\$19,000.00) per annum nor shall they exceed ~~Forty-four Thousand Five Hundred Dollars (\$44,500.00)~~ Forty-nine Thousand Five Hundred Dollars (\$49,500.00) per annum.

B. The board of county commissioners, or if the county has elected to come under the County Budget Act, the budget board members of the county, shall set the salaries for all elected county officials within the limits allowed by law.

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

SECTION 4. AMENDATORY 19 O.S. 2011, Section 180.63, is amended to read as follows:

Section 180.63 In every county in this state, the salary of all county officers named in paragraph 1 of Section 180.61 of this title ~~may~~ shall be increased from the applicable basic salary named in Section 180.62 of this title, for ~~net~~ gross assessed valuation or serviceability, according to the following scale:

A. To the basic salary:

1. Add the product of One Hundred Dollars (\$100.00) times each One Million Dollars (\$1,000,000.00) ~~net~~ gross assessed valuation, or major fraction thereof, until a ~~net~~ gross assessed valuation of Seventy-five Million Dollars (\$75,000,000.00) is reached;

2. Thereafter add the product of One Hundred Dollars (\$100.00) times each additional Five Million Dollars (\$5,000,000.00) ~~net~~ gross assessed valuation, or major fraction thereof, until a ~~net~~ gross assessed valuation of Five Hundred Million Dollars (\$500,000,000.00) is reached;

3. Thereafter add the product of One Hundred Twenty-five Dollars (\$125.00) times each additional Seven Million Dollars (\$7,000,000.00) ~~net~~ gross assessed valuation, or major fraction thereof, until a ~~net~~ gross assessed valuation of Two Billion Dollars (\$2,000,000,000.00) is reached; and

4. Thereafter as to all additional ~~net~~ gross assessed valuation add the product of One Hundred Twenty-five Dollars (\$125.00) times each additional Twenty Million Dollars (\$20,000,000.00) ~~net~~ gross assessed valuation, or major fraction thereof.

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

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

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

3. The product of Twelve Dollars and fifty cents (\$12.50) times each additional ten thousand (10,000) population, or major fraction thereof.

C. This section shall not reduce the present salary of any county officer in Oklahoma during their present term of office.

SECTION 5. AMENDATORY 19 O.S. 2011, Section 180.68, as amended by Section 2, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Section 180.68), is amended to read as follows:

Section 180.68 The date on which changes in the salaries and rates of pay for county officers and their deputies, aides and assistants under this act due to changes in population ~~or~~, gross assessed valuation or both population and gross assessed valuation in any county shall take effect, shall be as of, on ~~and~~ or after the first day of ~~January~~ July based upon the population as shown by the latest Federal Decennial Census for the State of Oklahoma, and the total ~~net~~ gross assessed valuations of tangible taxable properties for such fiscal year as shown by the official certificate which the county assessor files with the county excise board for the purpose of computing appropriations and levies for such current fiscal year.

SECTION 6. REPEALER 19 O.S. 2011, Sections 180.64A, 180.71, 180.72, 180.73, 180.74, as amended by Section 3, Chapter 27, O.S.L. 2019, 180.75, 180.76, 180.77, 180.78, 180.79, 180.80, 180.81, 180.82 and 180.83, as amended by Section 4, Chapter 27, O.S.L. 2019 (19 O.S. Supp. 2020, Sections 180.74 and 180.83), are hereby repealed.

SECTION 7. This act shall become effective November 1, 2021.

Passed the House of Representatives the 1st day of March, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 13th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____