

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1939

By: Boles and Perryman

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6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Sections 180.62, 180.63,
9 180.68, 180.74, 180.75 and 180.83, which relate to
10 salaries and compensation; replacing certain salary
11 schedule with salary range; allowing certain basic
12 salary increases upon majority vote; eliminating
13 certain salary reduction prohibition; modifying date
14 on which changes in certain salaries and rates of pay
15 take effect; replacing certain salary schedule with
16 salary range; allowing certain basic salary increases
17 upon majority vote; eliminating certain salary
18 reduction prohibition; modifying date on which
19 changes in certain salaries and rates of pay take
20 effect; repealing 19 O.S. 2011, Sections 180.63e and
21 180.77, which relate to prohibition of certain salary
22 modification during term of office; and providing an
23 effective date.

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

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

21 Section 180.62 A. The basic salaries of county officers upon
22 which all salaries and future increases or decreases thereof shall
23 be computed, shall ~~be as follows:~~

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

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

16 ~~3. In every county having a net valuation of all tangible~~
17 ~~taxable property, as defined in Sections 180.58 and 180.59 of this~~
18 ~~title, of more than Eighty Million Dollars (\$80,000,000.00) but not~~
19 ~~more than Three Hundred Million Dollars (\$300,000,000.00), the basic~~
20 ~~salary of each of the county officers named in paragraph 1 of~~
21 ~~Section 180.61 of this title shall not be less than Twenty-four~~
22 ~~Thousand Five Hundred Dollars (\$24,500.00) per annum nor shall it~~
23 ~~exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00) per~~
24 ~~annum;~~

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

10 5. ~~In every county having a net valuation of all tangible~~
11 ~~taxable property, as defined in Sections 180.58 and 180.59 of this~~
12 ~~title, of more than Six Hundred Million Dollars (\$600,000,000.00),~~
13 ~~the basic salary of each of the county officers named in paragraph 1~~
14 ~~of Section 180.61 of this title shall not be less than Nineteen~~
15 ~~Thousand Dollars (\$19,000.00) per annum nor shall it exceed Thirty-~~
16 ~~nine Thousand Dollars (\$39,000.00) per annum not be less than~~
17 ~~Nineteen Thousand Dollars (\$19,000.00) per annum nor shall they~~
18 ~~exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00).~~

19 B. The board of county commissioners shall set the basic
20 salaries for all elected county officials within the limits allowed
21 by law.

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

3 SECTION 2. AMENDATORY 19 O.S. 2011, Section 180.63, is
4 amended to read as follows:

5 Section 180.63 In every county in this state, the salary of all
6 county officers named in paragraph 1 of Section 180.61 of this title
7 may be increased from the applicable basic salary named in Section
8 180.62 of this title, for net valuation or ~~serviceability~~ service-
9 ability; provided that by majority vote, the county commissioners,
10 at a public meeting, agree there are sufficient revenues in the
11 current budget to accept the increases provided in this section,
12 according to the following scale:

13 A. To the basic salary:

14 1. Add the product of One Hundred Dollars (\$100.00) times each
15 One Million Dollars (\$1,000,000.00) net valuation, or major fraction
16 thereof until a net valuation of Seventy-five Million Dollars
17 (\$75,000,000.00) is reached;

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

22 3. Thereafter add the product of One Hundred Twenty-five
23 Dollars (\$125.00) times each additional Seven Million Dollars
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1 (\$7,000,000.00) net valuation, or major fraction thereof until a net
2 valuation of Two Billion Dollars (\$2,000,000,000.00) is reached; and

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

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

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

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

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

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

1 SECTION 3. AMENDATORY 19 O.S. 2011, Section 180.68, is
2 amended to read as follows:

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

14 SECTION 4. AMENDATORY 19 O.S. 2011, Section 180.74, is
15 amended to read as follows:

16 Section 180.74 A. The basic salaries of county officers listed
17 in paragraph 1 of Section 180.73 of this title upon which all
18 salaries and future increases or decreases thereof shall be
19 computed, shall ~~be as follows:~~

20 ~~1. In every county having a service-ability factor, as defined~~
21 ~~in Section 180.71 of this title, of Four Hundred Thousand Dollars~~
22 ~~(\$400,000.00) or less, the basic salary of each of the county~~
23 ~~officers named in Section 180.73 of this title shall not be less~~

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1 ~~than Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it~~
2 ~~exceed Thirty-nine Thousand Dollars (\$39,000.00) per annum;~~

3 ~~2. In every county having a service ability factor, as defined~~
4 ~~in Section 180.71 of this title, of more than Four Hundred Thousand~~
5 ~~Dollars (\$400,000.00) but not more than Eight Hundred Thousand~~
6 ~~Dollars (\$800,000.00), the basic salary of each of the county~~
7 ~~officers named in Section 180.73 of this title shall not be less~~
8 ~~than Twenty-two Thousand Five Hundred Dollars (\$22,500.00) per annum~~
9 ~~nor shall it exceed Forty-two Thousand Five Hundred Dollars~~
10 ~~(\$42,500.00) per annum;~~

11 ~~3. In every county having a service ability factor, as defined~~
12 ~~in Section 180.71 of this title, of more than Eight Hundred Thousand~~
13 ~~Dollars (\$800,000.00) but not more than Three Million Dollars~~
14 ~~(\$3,000,000.00), 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 ~~four Thousand Five Hundred Dollars (\$24,500.00) per annum nor shall~~
17 ~~it exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00) per~~
18 ~~annum;~~

19 ~~4. In every county having a service ability factor, as defined~~
20 ~~in Section 180.71 of this title, of more than Three Million Dollars~~
21 ~~(\$3,000,000.00) but not more than Ten Million Dollars~~
22 ~~(\$10,000,000.00), the basic salary of each of the county officers~~
23 ~~named in Section 180.73 of this title shall not be less than Twenty-~~
24 ~~two Thousand Five Hundred Dollars (\$22,500.00) per annum nor shall~~

1 ~~it exceed Forty-two Thousand Five Hundred Dollars (\$42,500.00) per~~
2 ~~annum; and~~

3 5. ~~In every county having a service ability factor, as defined~~
4 ~~in Section 180.71 of this title, of more than Ten Million Dollars~~
5 ~~(\$10,000,000.00), the basic salary of each of the county officers~~
6 ~~named in Section 180.73 of this title shall not be less than~~
7 ~~Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it exceed~~
8 ~~Thirty-nine Thousand Dollars (\$39,000.00) per annum~~ not be less than
9 Nineteen Thousand Dollars (\$19,000.00) per annum nor shall they
10 exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00).

11 B. The board of county commissioners shall set the basic
12 salaries for all elected county officials within the limits allowed
13 by law.

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

18 SECTION 5. AMENDATORY 19 O.S. 2011, Section 180.75, is
19 amended to read as follows:

20 Section 180.75 A. In every county in this state which approves
21 an exemption of household goods of the heads of families and
22 livestock employed in support of the family from ad valorem taxation
23 pursuant to the provisions of Section 6 of Article X of the Oklahoma
24 Constitution, the salary of all county officers named in paragraph 1

1 of Section 180.73 of this title may be increased from the applicable
2 basic salary named in Section 180.74 of this title, for the factor
3 of service-ability, as defined in Section 180.71 of this title;
4 provided that by a majority vote, the county commissioners, at a
5 public meeting, agree there are sufficient revenues in the current
6 budget to accept the increases provided in this section, according
7 to the following scale:

8 1. To the basic salary:

9 a. add the product of One Hundred Dollars (\$100.00) times
10 each Ten Thousand Dollars (\$10,000.00) of revenue
11 authorized to be collected for county purposes, or
12 major fraction thereof until the amount of such
13 revenue equals Seven Hundred Fifty Thousand Dollars
14 (\$750,000.00),

15 b. thereafter add the product of One Hundred Dollars
16 (\$100.00) times each additional Fifty Thousand Dollars
17 (\$50,000.00) of revenue authorized to be collected for
18 county purposes, or major fraction thereof until the
19 amount of such revenue equals Five Million Dollars
20 (\$5,000,000.00),

21 c. thereafter add the product of One Hundred Twenty-five
22 Dollars (\$125.00) times each additional Seventy
23 Thousand Dollars (\$70,000.00) of revenue authorized to
24 be collected for county purposes, or major fraction

1 thereof until the amount of such revenue equals Twenty
2 Million Dollars (\$20,000,000.00), and

- 3 d. thereafter as to all additional revenue which is
4 authorized to be collected for county purposes add the
5 product of One Hundred Twenty-five Dollars (\$125.00)
6 times each additional Two Hundred Thousand Dollars
7 (\$200,000.00) of such revenue, or major fraction
8 thereof; and

9 2. The salary of each county officer shall be additionally
10 increased from the basic salary named in Section 180.74 of this
11 title, and the additions to the basic salary as provided in this
12 section, for population or service load according to the following
13 scale:

- 14 a. the product of Twelve Dollars and fifty cents (\$12.50)
15 times each one thousand (1,000) population, or major
16 fraction thereof until a population of seventy-five
17 thousand (75,000) is reached,
18 b. thereafter the product of Twelve Dollars and fifty
19 cents (\$12.50) times each additional five thousand
20 (5,000) population, or major fraction thereof until a
21 population of one hundred fifty thousand (150,000) is
22 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 B. ~~This section shall not reduce the present salary of any~~
5 ~~county officer in Oklahoma during their present term of office.~~

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

8 SECTION 6. AMENDATORY 19 O.S. 2011, Section 180.83, is
9 amended to read as follows:

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

22 SECTION 7. REPEALER 19 O.S. 2011, Sections 180.63e and
23 180.77, are hereby repealed.

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SECTION 8. This act shall become effective November 1, 2019.

57-1-6995 AMM 01/16/19