

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1939

By: Boles and Perryman

7  
8                                   COMMITTEE SUBSTITUTE

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

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

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

10          B. The basic salaries of the county officers upon which all  
11 salaries and future increases or decreases thereof shall be computed  
12 shall not be less than Nineteen Thousand Dollars (\$19,000.00) per  
13 annum nor shall they exceed Forty-four Thousand Five Hundred Dollars  
14 (\$44,500.00).

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

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

23  
24

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

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

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

16 1. To the basic salary:

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

22 b. thereafter add the product of One Hundred Dollars  
23 (\$100.00) times each additional Five Million Dollars  
24 (\$5,000,000.00) net assessed valuation, or major

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

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

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

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

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

1           b.    thereafter add the product of Twelve Dollars and fifty  
2                   cents (\$12.50) times each additional five thousand  
3                   (5,000) population, or major fraction thereof, until a  
4                   population of one hundred fifty thousand (150,000) is  
5                   reached, and

6           c.    thereafter add the product of Twelve Dollars and fifty  
7                   cents (\$12.50) times each additional ten thousand  
8                   (10,000) population, or major fraction thereof.

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

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

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

22           A.    The provisions of this section shall apply to county  
23           officers whose terms begin on or after November 1, 2019, in all  
24           counties which approve an exemption of household goods of the heads

1 of families and livestock employed in support of the family from ad  
2 valorem taxation pursuant to the provisions of Section 6 of Article  
3 X of the Oklahoma Constitution.

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

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

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

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

20 A. The provisions of this section shall apply to county  
21 officers whose terms begin on or after November 1, 2019, in every  
22 county in this state which approves an exemption of household goods  
23 of the heads of families and livestock employed in support of the  
24 family from ad valorem taxation pursuant to the provisions of

1 Section 6 of Article X of the Oklahoma Constitution. The salaries  
2 of all county officers may be increased from the applicable basic  
3 salaries named in Section 3 of this act, provided that by majority  
4 vote the county commissioners, at a public meeting, agree there are  
5 sufficient revenues in the current budget to accept the increases  
6 provided in this section, according to the following scale:

7 1. To the basic salary:

- 8 a. add the product of One Hundred Dollars (\$100.00) times  
9 each Ten Thousand Dollars (\$10,000.00) of revenue  
10 authorized to be collected for county purposes, or  
11 major fraction thereof, until the amount of such  
12 revenue equals Seven Hundred Fifty Thousand Dollars  
13 (\$750,000.00),
- 14 b. thereafter add the product of One Hundred Dollars  
15 (\$100.00) times each additional Fifty Thousand Dollars  
16 (\$50,000.00) of revenue authorized to be collected for  
17 county purposes, or major fraction thereof, until the  
18 amount of such revenue equals Five Million Dollars  
19 (\$5,000,000.00),
- 20 c. thereafter add the product of One Hundred Twenty-five  
21 Dollars (\$125.00) times each additional Seventy  
22 Thousand Dollars (\$70,000.00) of revenue authorized to  
23 be collected for county purposes, or major fraction  
24

1           thereof, until the amount of such revenue equals  
2           Twenty 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 salaries named in Section 3 of this act,  
11          and the additions to the basic salaries as provided in this section,  
12          for population or service-load according to the following scale:

- 13           a.   the product of Twelve Dollars and fifty cents (\$12.50)  
14           times each one thousand (1,000) population, or major  
15           fraction thereof, until a population of seventy-five  
16           thousand (75,000) is reached,  
17           b.   thereafter the product of Twelve Dollars and fifty  
18           cents (\$12.50) times each additional five thousand  
19           (5,000) population, or major fraction thereof, until a  
20           population of one hundred fifty thousand (150,000) is  
21           reached, and  
22           c.   thereafter add the product of Twelve Dollars and fifty  
23           cents (\$12.50) times each additional ten thousand  
24           (10,000) population, or major fraction thereof.



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

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

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

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

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

18 2. In every county having a net valuation of all tangible  
19 taxable property, as defined in Sections 180.58 and 180.59 of this  
20 title, of more than Forty Million Dollars (\$40,000,000.00) but not  
21 more than Eighty Million Dollars (\$80,000,000.00), the basic salary  
22 of each of the county officers named in paragraph 1 of Section  
23 180.61 of this title shall not be less than Twenty-two Thousand Five  
24

1 Hundred Dollars (\$22,500.00) per annum nor shall it exceed Forty-two  
2 Thousand Five Hundred Dollars (\$42,500.00) per annum;

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

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

21 5. 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 Six Hundred Million Dollars (\$600,000,000.00),  
24 the basic salary of each of the county officers named in paragraph 1

1 of Section 180.61 of this title shall not be less than Nineteen  
2 Thousand Dollars (\$19,000.00) per annum nor shall it exceed Thirty-  
3 nine Thousand Dollars (\$39,000.00) per annum.

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

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

10 D. The provisions of this section shall only be applicable to  
11 the salaries of county officers whose terms begin prior to November  
12 1, 2019.

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

15 Section 180.63 A. In every county in this state, the salary of  
16 all county officers named in paragraph 1 of Section 180.61 of this  
17 title may be increased from the applicable basic salary named in  
18 Section 180.62 of this title, for net valuation or serviceability,  
19 according to the following scale:

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

21 ~~1. Add~~

22 a. add the product of One Hundred Dollars (\$100.00) times  
23 each One Million Dollars (\$1,000,000.00) net  
24 valuation, or major fraction thereof, until a net

1 valuation of Seventy-five Million Dollars  
2 (\$75,000,000.00) is reached~~+~~,

3 ~~2. Thereafter~~

4 b. thereafter add the product of One Hundred Dollars  
5 (\$100.00) times each additional Five Million Dollars  
6 (\$5,000,000.00) net valuation, or major fraction  
7 thereof, until a net valuation of Five Hundred Million  
8 Dollars (\$500,000,000.00) is reached~~+~~,

9 ~~3. Thereafter~~

10 c. thereafter add the product of One Hundred Twenty-five  
11 Dollars (\$125.00) times each additional Seven Million  
12 Dollars (\$7,000,000.00) net valuation, or major  
13 fraction thereof, until a net valuation of Two Billion  
14 Dollars (\$2,000,000,000.00) is reached~~+~~, and

15 ~~4. Thereafter~~

16 d. thereafter as to all additional net valuation add the  
17 product of One Hundred Twenty-five Dollars (\$125.00)  
18 times each additional Twenty Million Dollars  
19 (\$20,000,000.00) net valuation, or major fraction  
20 thereof~~+~~; and

21 ~~B. 2.~~ 2. Also, the salary of each county officer shall be  
22 additionally increased from the basic ~~salary~~ salaries named in  
23 Section 180.62 of this title, and the additions thereto heretofore  
24

1 provided in this section, for population or service\_load according  
2 to the following scale:

3 ~~1. The~~

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

8 ~~2. The~~

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

14 ~~3. The~~

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

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

21 C. The provisions of this section shall only be applicable to  
22 the salaries of county officers whose terms begin prior to November  
23 1, 2019.

1 SECTION 7. 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 8. 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 upon  
17 which all salaries and future increases or decreases thereof shall  
18 be computed, shall be as follows:

19 1. In every county having a service-ability factor, as defined  
20 in Section 180.71 of this title, of Four Hundred Thousand Dollars  
21 (\$400,000.00) or less, the basic salary of each of the county  
22 officers named in Section 180.73 of this title shall not be less  
23 than Nineteen Thousand Dollars (\$19,000.00) per annum nor shall it  
24 exceed Thirty-nine Thousand Dollars (\$39,000.00) per annum;

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

9           3. In every county having a service-ability factor, as defined  
10 in Section 180.71 of this title, of more than Eight Hundred Thousand  
11 Dollars (\$800,000.00) but not more than Three Million Dollars  
12 (\$3,000,000.00), the basic salary of each of the county officers  
13 named in Section 180.73 of this title shall not be less than Twenty-  
14 four Thousand Five Hundred Dollars (\$24,500.00) per annum nor shall  
15 it exceed Forty-four Thousand Five Hundred Dollars (\$44,500.00) per  
16 annum;

17           4. In every county having a service-ability factor, as defined  
18 in Section 180.71 of this title, of more than Three Million Dollars  
19 (\$3,000,000.00) but not more than Ten Million Dollars  
20 (\$10,000,000.00), the basic salary of each of the county officers  
21 named in Section 180.73 of this title shall not be less than Twenty-  
22 two Thousand Five Hundred Dollars (\$22,500.00) per annum nor shall  
23 it exceed Forty-two Thousand Five Hundred Dollars (\$42,500.00) per  
24 annum; and

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

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

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

13           D. The provisions of this section shall only be applicable to  
14 the salaries of county officers whose terms begin prior to November  
15 1, 2019.

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

18           Section 180.75 A. In every county in this state which approves  
19 an exemption of household goods of the heads of families and  
20 livestock employed in support of the family from ad valorem taxation  
21 pursuant to the provisions of Section 6 of Article X of the Oklahoma  
22 Constitution, the salary of all county officers named in paragraph 1  
23 of Section 180.73 of this title may be increased from the applicable  
24 basic salary named in Section 180.74 of this title, for the factor



1 of service-ability, as defined in Section 180.71 of this title,  
2 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 salary named in Section 180.74 of this  
6 title, and the additions to the basic salary as provided in this  
7 section, for population or service\_load according to the following  
8 scale:

- 9 a. the product of Twelve Dollars and fifty cents (\$12.50)  
10 times each one thousand (1,000) population, or major  
11 fraction thereof, until a population of seventy-five  
12 thousand (75,000) is reached,
- 13 b. thereafter add the product of Twelve Dollars and fifty  
14 cents (\$12.50) times each additional five thousand  
15 (5,000) population, or major fraction thereof, until a  
16 population of one hundred fifty thousand (150,000) is  
17 reached, and
- 18 c. thereafter add the product of Twelve Dollars and fifty  
19 cents (\$12.50) times each additional ten thousand  
20 (10,000) population, or major fraction thereof.

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

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

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

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

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

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

21  
22 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,  
23 dated 02/25/2019 - DO PASS, As Amended.

24