

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 ENGROSSED SENATE
5 BILL NO. 901

6 By: Reinhardt of the Senate

7 and

8 Tedford of the House

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

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

16 SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.58B, is

17 amended to read as follows:

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

1 any entity specified in subsection D of this section for any errors
2 and omissions or liability risks arising from the performance of
3 their official duties pursuant to law.

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

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

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

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

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

6 3. Municipal fire departments organized and operated pursuant
7 to the provisions of Sections 29-101 through 29-108, and Sections
8 29-201 through 29-205 of Title 11 of the Oklahoma Statutes;

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

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

13 E. The governing authorities of such fire departments, fire
14 protection districts and fire protection services shall be required
15 to make payments for such insurance coverage as provided by Section
16 85.37 of this title.

17 F. Requests for the insurance or indemnity coverage provided
18 pursuant to the provisions of this section shall be submitted in
19 writing to the Risk Management Administrator by the fire
20 departments, fire protection districts or fire protection services
21 specified in subsection C of this section. Those fire departments,
22 fire protection districts or fire protection services meeting
23 eligibility criteria shall be approved for participation in the Risk
24 Management Program by the Risk Management Administrator if the

1 member, officer, employee or volunteer, and the vehicles, vessels,
2 aircraft and buildings used by districts, services or departments
3 meet the equipment and safety standards and eligibility requirements
4 established by the Risk Management Administrator.

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

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

18 I. The State of Oklahoma is not liable, directly or indirectly,
19 for the errors and omissions of any board member, official, employee
20 or volunteer of any entity specified in subsection C of this section
21 in the performance of his official duties pursuant to law. The
22 State of Oklahoma is not liable, directly or indirectly, for the
23 negligence of any entity specified in subsection C of this section.
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1 J. In providing risk management services for any entity
2 specified by subsection C of this section or any such board member,
3 official, employee or volunteer of such entity, it is the intention
4 of the Legislature to provide coverage solely to the extent of
5 assets in the shared risk pool created by Section 85.34B of this
6 title.

7 K. Any liability insurance coverage obtained or provided shall
8 include expenses for legal services obtained or provided by the Risk
9 Management Administrator.

10 L. Except as provided in this section, the Office of Management
11 and Enterprise Services shall not promote or market other forms of
12 insurance in conjunction with the Risk Management Program provisions
13 provided in this section.

14 SECTION 2. This act shall become effective November 1, 2025.
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16 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT OVERSIGHT, dated
04/15/2025 - DO PASS.
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