# An Act

ENROLLED SENATE
BILL NO. 1640

By: Halligan of the Senate

and

Williams and Denney of the House

An Act relating to state government; creating the Certified Retirement Communities Program Act; providing for short title; directing the Oklahoma Department of Commerce to establish certain program; stating purposes of the Oklahoma Certified Retirement Communities Program; encouraging the Oklahoma Department of Commerce to collaborate with the Oklahoma Cooperative Extension Service in the development of certain program; requiring the Oklahoma Department of Commerce to promulgate certain rules; specifying communities eligible for the program; requiring communities to meet certain specified requirements; defining term; requiring the Oklahoma Department of Commerce to determine which communities qualify for certification; requiring the Oklahoma Department of Commerce to develop certain criteria; requiring the Oklahoma Department of Commerce to issue certain certification upon qualification; providing expiration date of certification; providing procedures for recertification; authorizing pilot project; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.20 of Title 74, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Certified Retirement Communities Program Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.21 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Commerce shall establish an Oklahoma Certified Retirement Communities Program to recognize communities in the state that have made themselves attractive destinations for retirees.

B. The purposes of the Program shall be to:

1. Encourage retirees to establish a residence in Oklahoma;

2. Help communities promote and market themselves as retirement destinations for retirees;

3. Assist the economic development of rural communities by encouraging retirees to live, work, and volunteer in these communities; and

4. Encourage tourism in Oklahoma by enhancing the marketing of the state to retirees everywhere.

C. The Oklahoma Department of Commerce is encouraged to collaborate with the Oklahoma Cooperative Extension Service in the development of an outreach program to assist communities seeking certification.

D. The Department shall promulgate rules to implement the provisions of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.22 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Any community in this state is eligible to be named a certified retirement community. In an application to the Oklahoma Department of Commerce for recognition as a certified retirement community, the applicant shall clearly articulate how the applicant defines community for purposes of seeking certification.

B. Each community seeking certification shall meet the following requirements:

1. The community shall submit an application to the Oklahoma Department of Commerce containing basic demographic and statistical information, including crime statistics, tax-related information, recreational opportunities, housing prices and availability, health care and emergency medical service availability and other factors deemed relevant by the Department;

2. The community shall demonstrate the support and active involvement of the local governing body, churches, clubs, businesses, media outlets or other entities with an interest in the future of the community;

3. The community shall submit with the application a plan describing the community's long-term care facility and service capabilities and the community's strategy for marketing the community to retirees. The plan shall include a target market, a list of competing communities, an analysis of the community's strengths, weaknesses, opportunities and dangers, and the steps the community will employ to achieve the goals of the plan; and

4. The applicant community shall certify the availability of at least Twenty Thousand Dollars ($20,000.00) to be expended by the community to implement the Certified Retirement Communities Program.

C. For purposes of this act, "community" means a city, town or county. A community can be coterminous with a political subdivision of the state or with a particular geographic boundary.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.23 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Commerce shall accept and review applications from communities seeking to become a certified retirement community. The Department shall determine which communities qualify for certification.

B. In determining which communities qualify, the Department shall develop a set of criteria for evaluating and scoring the applicants and comparing each applicant against the other applicants. The criteria developed by the Department shall include:

1. The competitiveness of the tax burden on residents in the community;

2. Housing availability and cost;

3. Climatic factors;

4. Personal and community safety;

5. Work, volunteer and community service opportunities;

6. Health care and emergency medical services available to residents of the community;

7. Public transportation and transportation infrastructure;

8. Educational quality and opportunities;

9. Recreational and leisure opportunities;

10. The availability of cultural and performing arts, sporting events, festivals and other activities; and

11. The availability of services and facilities necessary to assist retirees as they age.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.24 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. If the Oklahoma Department of Commerce determines that a community qualifies for certification, the Department shall issue to

the community a certificate recognizing the status of the community as an attractive destination for retirees.

B. 1. A community's certification expires on the fifth anniversary of the date of initial certification.

2. To be recertified, a community shall submit a new application, as provided in Section 3 of this act. Such application shall include a report of the success or failure of the community's past efforts to market itself to retirees.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.25 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Department of Commerce is authorized to implement the Oklahoma Certified Retirement Communities Program through a pilot project. During this pilot implementation, the community selection criteria and scoring methodology shall be defined, applications shall be developed, educational sessions shall be conducted and marketing strategies shall be developed. The City of Stillwater, Oklahoma, shall serve as the pilot community pursuant to this section. In recognition of the assistance the City of Stillwater shall provide in this pilot project, the application fee charged by the Department for the city's initial application shall be Twenty-five Dollars ($25.00). The Department and the City of Stillwater shall jointly work to organize the community and prepare its application.

SECTION 7. This act shall become effective July 1, 2010.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 29th day of April, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2010.

Presiding Officer of the House of Representatives

**OFFICE OF THE GOVERNOR**

**Received by the Governor this** 3rd **day of** May, **20** 10, **at** 3:33 **o'clock** P **M.**

**By:**

**Approved by the Governor of the State of Oklahoma the** 5th **day of** May, **20** 10, **at** 6:18 **o'clock** P **M.**

**Governor of the State of Oklahoma**

**OFFICE OF THE SECRETARY OF STATE**

**Received by the Secretary of State this** 6th **day of** May, **20** 10, **at** 2:10 **o'clock** P **M.**

**By:**