ENGROSSED SENATE
BILL NO. 540

By: Crutchfield of the Senate

and

Turner of the House

[cities and counties – defining terms - provisions to combination fire departments - Volunteer Firefighter Recognition Program - effective date]

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 29-104.1 of Title 11, unless there is created a duplication in numbering, reads as follows:

The term "paid fire department" means one which has in its employ more than two full-time salaried firefighters and no enrolled volunteer firefighters.

SECTION 2. AMENDATORY 11 O.S. 2001, Section 29-202, is amended to read as follows:

Section 29-202. ~~The words and phrases as~~ As used in Sections 29-201 through 29-205 of this title ~~shall have the following definitions~~:

1. "Volunteer firefighter"~~: One~~ means a person who is enrolled as a member of a fire department and who serves in ~~said~~ such capacity without receiving a regular salary;

2. "Volunteer fire department"~~: One~~ means a fire department which has in its employ not more than two full-time salaried firefighters; and

3. "Municipality"~~: One which~~ means a municipality which has qualified to participate in the ~~Firemen's Relief and Pension Fund~~ Oklahoma Firefighters Pension and Retirement System.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-301 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. As used in this section and Section 4 of this act:

1. "Combination fire department" means a fire department which has in its employ more than two full-time salaried firefighters and at least one but not more than twenty-five volunteer firefighters; and

2. "Volunteer firefighter of a combination fire department" means a person who is enrolled as a volunteer member of a combination fire department and who serves in such capacity without receiving a regular salary. The person, who is a salaried employee of a municipality, shall not serve as a volunteer firefighter of a combination fire department if such service as a volunteer firefighter is a condition of employment with the municipality. The person, who is a salaried public safety employee of a municipality, shall not serve as a volunteer firefighter of a combination fire department unless the person is off duty and is not a condition of employment.

B. For the purposes of this subsection, a public safety employee is a person employed to serve as a salaried firefighter, police or other law enforcement officer or emergency medical technician.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-302 of Title 11, unless there is created a duplication in numbering, reads as follows:

The provisions of Sections 29-101 through 29-115 of Title 11 of the Oklahoma Statutes relating to paid fire departments, paid fire chiefs, paid firefighters or fire department equipment or other

property shall also apply to combination fire departments unless otherwise noted.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-303 of Title 11, unless there is created a duplication in numbering, reads as follows:

Volunteer firefighters of a combination fire department:

1. Will be on call for duty seven (7) days a week, twenty-four (24) hours a day, subject to excused absences approved by the fire chief on an exception basis only; and

2. Shall reside in the same county as the combination fire department he or she is enrolled in or in a county that immediately borders the county in which the combination fire department is located.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-304 of Title 11, unless there is created a duplication in numbering, reads as follows:

There is hereby created a "Volunteer Firefighter Recognition Program". This program shall recognize the following persons with a certification of recognition from the Governor:

1. Employers of volunteer firefighters who allow the firefighter time off for training and emergency responses; and

2. Volunteer firefighters for their service to the citizens of their community and to this state.

SECTION 7. This act shall become effective November 1, 2003.

Passed the Senate the 25th day of February, 2003.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2003.

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Presiding Officer of the House
of Representatives