

CS for SB 540

1 THE STATE SENATE  
2 Wednesday, February 19, 2003

3 Committee Substitute for  
4 Senate Bill No. 540

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 540 - By: CRUTCHFIELD of  
6 the Senate and TURNER of the House.

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

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

11 SECTION 1. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 29-104.1 of Title 11, unless  
13 there is created a duplication in numbering, reads as follows:

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

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

19 Section 29-202. ~~The words and phrases as~~ As used in Sections  
20 29-201 through 29-205 of this title ~~shall have the following~~  
21 ~~definitions:~~

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

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

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

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

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

11        1. "Combination fire department" means a fire department which  
12 has in its employ more than two full-time salaried firefighters and  
13 at least one (1) but not more than twenty-five (25) volunteer  
14 firefighters; and

15        2. "Volunteer firefighter of a combination fire department"  
16 means a person who is enrolled as a volunteer member of a  
17 combination fire department and who serves in such capacity without  
18 receiving a regular salary. The person, who is a salaried employee  
19 of a municipality, shall not serve as a volunteer firefighter of a  
20 combination fire department if such service as a volunteer  
21 firefighter is a condition of employment with the municipality. The  
22 person, who is a salaried public safety employee of a municipality,  
23 shall not serve as a volunteer firefighter of a combination fire

1 department unless the person is off duty and is not a condition of  
2 employment.

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

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

10 The provisions of Sections 29-101 through 29-115 of Title 11 of  
11 the Oklahoma Statutes relating to paid fire departments, paid fire  
12 chiefs, paid firefighters or fire department equipment or other  
13 property shall also apply to combination fire departments unless  
14 otherwise noted.

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

18 Volunteer firefighters of a combination fire department:

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

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

1 borders the county in which the combination fire department is  
2 located.

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

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

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

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-17-03  
15 - DO PASS, As Amended and Coauthored.