

STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

2ND CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL 726

By: Barrington of the Senate

and

Armes, Collins and Pittman
of the House

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to retirement; amending 11 O.S. 2001, Section 29-102, which relates to fire chiefs; clarifying duty of certain fire chief; prohibiting a fire chief from holding certain other positions; amending 11 O.S. 2001, Section 49-124, which relates to the Oklahoma Firefighters Pension and Retirement System; modifying requirement for certain fire departments to report certain information; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 11 O.S. 2001, Section 29-102, is amended to read as follows:

Section 29-102. All cities having a paid fire department shall have one full-time fire chief ~~whose primary duty~~ who shall be the ~~administration of~~ supervise and administer the fire department in accordance with the policies and procedures prescribed by the governing body or by the city manager. The fire department shall be

1 under the direction and control of the fire chief who shall not
2 serve as fire chief and also as police chief, city manager, mayor or
3 any other position that impairs the ability to perform the duties of
4 a fire chief. The fire chief of any paid municipal fire department
5 shall have had at least three (3) years' actual experience as a paid
6 fire fighter. It shall be the duty of the fire chief to file the
7 appropriate activity report forms with the Office of the State Fire
8 Marshal in Oklahoma City on an annual basis. The activity report
9 forms shall be designed by the State Fire Marshal and shall include,
10 but not be limited to, the amount of property and vehicle fire loss,
11 types of fires, inspections and investigations. The report shall
12 include notification of all fire-related civilian deaths and
13 injuries in the respective jurisdiction and of fire fighter deaths
14 in the line of duty and of fire fighter injuries in the line of duty
15 requiring the services of a hospital or physician or both.

16 SECTION 2. AMENDATORY 11 O.S. 2001, Section 49-124, is
17 amended to read as follows:

18 Section 49-124. On forms supplied by the State Board, it is
19 hereby made the duty of the clerk of each participating municipality
20 ~~or fire protection district~~ in which an organized department is
21 maintained ~~having fire fighting apparatus of the value of One~~
22 ~~Thousand Dollars (\$1,000.00) or more,~~ to record annually with the
23 State Board the name of such fire department and the number of fire
24

1 fighters with their names, birthdate, date of appointment and date
2 of expiration of term of service.

3 SECTION 3. This act shall become effective July 1, 2009.

4 SECTION 4. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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