

1 ENGROSSED SENATE
2 BILL NO. 1206

By: Brown of the Senate

3 and

4 Trebilcock of the House

5
6 An Act relating to public health and safety; amending
7 Section 4, Chapter 199, O.S.L. 2006 (8963 O.S. Supp.
8 2008, Section 695.2), which relates to the Oklahoma
9 Intrastate Mutual Aid Compact; modifying definition;
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY Section 4, Chapter 199, O.S.L.
13 2006 (63 O.S. Supp. 2008, Section 695.2), is amended to read as
14 follows:

15 Section 695.2 A. The purpose of the Oklahoma Intrastate Mutual
16 Aid Compact is to create a system of intrastate mutual aid between
17 participating jurisdictions in the state.

18 B. As used in the Oklahoma Intrastate Mutual Aid Compact:

19 1. "Jurisdiction" means any county, city, town or municipal
20 corporation of the State of Oklahoma represented by an elected
21 governing body and city-county health department created pursuant to
22 the Oklahoma Public Health Code.

23 Sovereign Tribal Nations in the State of Oklahoma shall also be
24 considered jurisdictions under the Oklahoma Intrastate Mutual Aid

1 Compact and participating unless electing not to participate or
2 later withdrawing from the system;

3 2. "Emergency" means any occasion or instance for which
4 assistance is needed to supplement local efforts and capabilities to
5 save lives and to protect property and public health and safety, or
6 to lessen or avert the threat of a catastrophe; and

7 3. "Emergency responder" means anyone with special skills,
8 qualifications, training, knowledge, and experience in the public or
9 private sectors that would be beneficial to a participating
10 jurisdiction in response to a local emergency as defined in
11 applicable law or ordinance or authorized drill or exercise.

12 C. Each participant of the system shall recognize that
13 emergencies transcend political jurisdictional boundaries and that
14 intergovernmental coordination is essential for the protection of
15 lives and property and for best use of available assets both public
16 and private. The system shall provide for mutual assistance among
17 the participating jurisdictions in the prevention of, response to,
18 and recovery from, any disaster that results in a formal state of
19 emergency in a participating jurisdiction subject to the criterion
20 for declaration of that participating jurisdiction. The system
21 shall provide for mutual cooperation among the participating
22 jurisdictions in conducting disaster-related exercises, testing, or
23 other training activities outside actual declared emergency periods.
24 This legislation provides no immunity, rights, or privileges for any

1 individual responding to a state of emergency that is not requested
2 and/or authorized to respond by a participating jurisdiction.
3 Participating jurisdictions will be ensured eligibility, to the
4 fullest extent possible, for state and federal disaster funding.

5 D. All jurisdictions within the state, upon enactment of this
6 legislation, are automatically a part of the statewide mutual aid
7 system. A jurisdiction within the state may elect not to
8 participate or to later withdraw from the system upon enacting an
9 appropriate resolution by its governing body declaring that it
10 elects not to participate in the statewide mutual aid system and
11 providing a copy of the resolution to the Oklahoma Department of
12 Emergency Management. This legislation does not preclude
13 participating jurisdictions from entering into supplementary
14 agreements with another jurisdiction and does not affect any other
15 agreement to which a jurisdiction may currently be a party or decide
16 to be a party to.

17 E. Many disasters begin as emergencies where local jurisdictions
18 require fire service and/or law enforcement assistance. These
19 services would normally be requested and provided at the department
20 level as normal day-to-day operations with no reimbursement. If an
21 incident response expands beyond a normal day-to-day emergency into
22 a disaster situation, reimbursement for mutual aid services may be
23 necessary and will be in accordance with the Federal Emergency
24 Management Agency reimbursement policy.

1 F. In support of the Emergency Management Compact, Section 684.1
2 et seq. of Title 63 of the Oklahoma Statutes, the Governor or the
3 representative of the Governor may request mutual aid assistance
4 from local jurisdictions for other states or their jurisdictions.
5 In such situations, the assisting local jurisdiction shall be
6 considered an agent of the state.

7 SECTION 2. This act shall become effective November 1, 2009.

8 Passed the Senate the 10th day of March, 2009.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2009.

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Presiding Officer of the House
of Representatives

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