

ENROLLED SENATE  
BILL NO. 1166

By: Jolley and Garrison of the  
Senate

and

Terrill, Roan and Walker of  
the House

An Act relating to public health and safety; creating the Regional Emergency Nine-One-One Services Act; providing short title; stating purpose; encouraging formation of certain districts; defining terms; designating jurisdictions; allowing for agreements; authorizing emergency districts; providing for certain reports; 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 2849 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Regional Emergency Nine-One-One Services Act".

B. It is the purpose of the Regional Emergency Nine-One-One Services Act to encourage formation of emergency communication districts in order to provide efficient delivery of emergency nine-one-one (911) service throughout the state.

C. This act shall not apply to any nine-one-one (911) system or public agency participating in a nine-one-one (911) system that was established prior to January 1, 2009, and that had adopted and begun

implementation of a process to provide Phase I and Phase II nine-one-one (911) service by that date.

D. For the purposes of this section:

1. "District" means an emergency communication district;

2. "Emergency communication district" means a district formed pursuant to this act to deliver emergency nine-one-one (911) services on a regional basis;

3. "Nine-one-one system" means an entity that processes emergency nine-one-one (911) calls through a public safety answering point;

4. "Participating public agency" means a public agency that is included in a district;

5. "Principal municipality" means the municipality with the largest population in a district; and

6. "Public agency" means a municipality or county that provides or has authority to provide fire-fighting, law enforcement, ambulance, medical or other emergency services; provided, it does not mean any entity excluded from this act by the provisions of subsection C of this section.

E. On or before December 31, 2012, all public agencies in this state shall form regional emergency communication districts for the purpose of creating an area-wide emergency nine-one-one (911) system for their respective jurisdictions. The territory of the district shall be coextensive with the territory of the regional substate planning district. If a public agency is situated in more than one such territory, it shall become part of the district in which it is principally located. If, due to the effect of subsection C of this section, the majority of the participating public agencies located in the territory of a proposed district determine that it would be in the best interests of their citizens, they may request inclusion in an adjacent district.

F. The public agencies to be included in each district may form the district by entering into local cooperative agreements which

shall establish a governance structure and provide for the joint implementation, funding, operation, and management of the district.

G. If the public agencies in a region are unable to develop a local cooperative agreement by December 31, 2012, they shall be included in an emergency communication district that is governed by a board of directors consisting of an appointee by each public agency that was authorized by its voters to fund a nine-one-one (911) system prior to the formation of the district, one appointee elected by a majority of the remaining public agencies in the district, and an additional appointee by the principal municipality in the district who shall serve as chair of the board.

H. Unless otherwise provided by agreement, any participating public agency that had been authorized by its voters to fund a nine-one-one (911) system prior to the formation of the district shall retain control of the property, operation, and funding of its system; provided, however, the district may contract with such participating public agency to include the agency's system in the district's master implementation plan. To the extent practicable, the district shall not duplicate the equipment or answering point services already provided by a participating public agency. A user of one or more communication services subject to the payment of fees or taxes for an emergency nine-one-one (911) system shall not be charged for more than one such fee or tax for each service.

I. An emergency communication district shall have power to make all contracts to carry out the purposes of this act, purchase and convey real property, impose service fees authorized for public agencies for the provision of nine-one-one (911) service, appoint a manager of the district and adopt rules and policies for the operation of the district.

J. Within one (1) year after the effective date of the formation of the district, the board of directors shall prepare its master plan to deliver emergency nine-one-one (911) service throughout its territory. It shall periodically review and update its plan.

K. An emergency communication district shall operate on a fiscal year beginning July 1. It shall adopt an annual budget and cause to be prepared an independent financial audit annually. As

soon as practicable after the end of the fiscal year, the district shall deliver to each participating public agency an annual report showing in detail the operations of the district.

SECTION 2. This act shall become effective July 1, 2009.

SECTION 3. 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 12th day of May, 2009.

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Presiding Officer of the Senate

Passed the House of Representatives the 15th day of May, 2009.

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Presiding Officer of the House  
of Representatives