

THE HOUSE OF REPRESENTATIVES
Thursday, April 9, 2009

ENGROSSED
Senate Bill No. 1206

ENGROSSED SENATE BILL NO. 1206 - By: BROWN of the Senate and TREBILCOCK AND RITZE of the House.

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

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

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

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

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

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

1 Sovereign Tribal Nations in the State of Oklahoma shall also be considered
2 jurisdictions under the Oklahoma Intrastate Mutual Aid Compact and participating
3 unless electing not to participate or later withdrawing from the system;

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

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

11 C. Each participant of the system shall recognize that emergencies transcend
12 political jurisdictional boundaries and that intergovernmental coordination is essential
13 for the protection of lives and property and for best use of available assets both public
14 and private. The system shall provide for mutual assistance among the participating
15 jurisdictions in the prevention of, response to, and recovery from, any disaster that
16 results in a formal state of emergency in a participating jurisdiction subject to the
17 criterion for declaration of that participating jurisdiction. The system shall provide for
18 mutual cooperation among the participating jurisdictions in conducting disaster-related
19 exercises, testing, or other training activities outside actual declared emergency periods.
20 This legislation provides no immunity, rights, or privileges for any individual responding
21 to a state of emergency that is not requested and/or authorized to respond by a

1 participating jurisdiction. Participating jurisdictions will be ensured eligibility, to the
2 fullest extent possible, for state and federal disaster funding.

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

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

19 F. In support of the Emergency Management Compact, Section 684.1 et seq. of Title
20 63 of the Oklahoma Statutes, the Governor or the representative of the Governor may
21 request mutual aid assistance from local jurisdictions for other states or their

1 jurisdictions. In such situations, the assisting local jurisdiction shall be considered an
2 agent of the state.

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

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04-08-09 - DO
5 PASS, As Coauthored.