

3 Senate Bill No. 1166

4 SENATE BILL NO. 1166 - By: Jolley of the Senate and Terrill of the
5 House.

6 An Act relating to public health and safety; creating the
7 Regional Emergency Nine-One-One Services Act; providing
8 short title; stating purpose; encouraging formation of
9 certain districts; defining terms; designating
10 jurisdictions; allowing for agreements; authorizing
11 emergency districts; providing for certain reports;
12 providing for codification; providing an effective date; and
13 declaring an emergency.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2849 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

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

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

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

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

3 D. For the purposes of this section:

4 1. "District" means an emergency communication district;

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

8 3. "Nine-one-one system" means an entity that processes
9 emergency 9-1-1 calls through a public safety answering point;

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

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

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

19 E. On or before December 31, 2012, all public agencies in this
20 state shall form regional emergency communication districts for the
21 purpose of creating an area-wide emergency nine-one-one (911) system
22 for their respective jurisdictions. The territory of the district
23 shall be coextensive with the territory of the regional substate

1 planning district. If a public agency is situated in more than one
2 such territory it shall become part of the district in which it is
3 principally located. If, due to the effect of subsection C of this
4 section, the majority of the participating public agencies located
5 in the territory of a proposed district determine that it would be
6 in the best interests of their citizens, they may request inclusion
7 in an adjacent district.

8 F. The public agencies to be included in each district may form
9 the district by entering into local cooperative agreements which
10 shall establish a governance structure and provide for the joint
11 implementation, funding, operation, and management of the district.

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

21 H. Unless otherwise provided by agreement, any participating
22 public agency that had been authorized by its voters to fund a nine-
23 one-one (911) system prior to the formation of the district shall

1 retain control of the property, operation, and funding of its
2 system; provided, however, the district may contract with such
3 participating public agency to include the agency's system in the
4 district's master implementation plan. To the extent practicable,
5 the district shall not duplicate the equipment or answering point
6 services already provided by a participating public agency. A user
7 of one or more communication services subject to the payment of fees
8 or taxes for an emergency nine-one-one (911) system shall not be
9 charged for more than one such fee or tax for each service.

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

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

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

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

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

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

9 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
10 dated 2-17-09 - DO PASS, As Coauthored.