ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 2495

By: Casey, Hardin, Cannaday, Sherrer and Hoskin of the House

and

Fields of the Senate

An Act relating to corporations; amending 18 O.S. 2011, Section 593, which relates to certain fire department fees; authorizing certain fire departments to establish fee schedule for services in response to an emergency; and providing an effective date.

AMENDMENT NO. 1. Page 1, strike the title to read

"[corporations - certain fire department fees - effective date]"

Passed the Senate the 15th day of April, 2014.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2014.

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Presiding Officer of the House of Representatives

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

SECTION 1. AMENDATORY 18 O.S. 2011, Section 593, is amended to read as follows:

Section 593. A. Any charitable corporation formed for the purpose of providing either a volunteer or a full-time fire department, pursuant to Section 592 of this title, shall have authority to establish a reasonable schedule of fees to be charged for its services in extinguishing fires <u>and all other emergencies</u> of its members and nonmembers who utilize such fire department to extinguish or control a fire <u>or provide services in response to an emergency</u> either within or without the unincorporated area wherein it is situated. Such schedule of fees may contain one fee for

members and another fee for nonmembers, except that no fee shall be established in excess of the approximate cost of providing the service. Any member or nonmember utilizing the services of such a fire department to extinguish or control a fire <u>or provide services in response to an emergency</u> shall be liable to said corporation in the amount of the established fee. However, no fee shall be charged by a fire department for merely appearing at the scene of a controlled fire unless called by the person setting the fire or at such person's request. If it is necessary for suit to be brought for collection of such amount due, such liability shall include costs of suit and a reasonable attorney's fee.

B. If insurance coverage is provided for the fee specified in subsection A of this section or for the cost of providing the service rendered by the fire department and an insurer makes payment for the service it shall be the duty of the insured party or the responding fire department to notify the insurer of services rendered. The instrument of payment for the services of the fire department shall be made to the order of the responding fire department and the insured.

SECTION 2. This act shall become effective November 1, 2014.

Passed the House of Representatives the 17th day of February, 2014.

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Presiding Officer of the House of Representatives

Passed the Senate the ___ day of _____, 2014.

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Presiding Officer of the Senate