HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

ENGROSSED SENATE
BILL NO. 49 By: Sparks of the Senate

and

Virgin and Ritze of the House

An Act relating to the Oklahoma Intrastate Mutual Aid Compact; amending 63 O.S. 2011, Section 695.2, which relates to participating jurisdictions; authorizing certain public universities to participate in Compact; authorizing right to withdraw; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 695.2, is amended to read as follows:

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

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

1. "Jurisdiction" means any county, city, town or municipal corporation of the State of Oklahoma represented by an elected

governing body and city-county health department created pursuant to the Oklahoma Public Health Code.

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

Public universities in this state which maintain CLEET-certified law enforcement agencies may elect to be considered jurisdictions under the provisions of this act and shall retain the right to later withdraw from the system;

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

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

C. Each participant of the system shall recognize that emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets both public and private. The system shall provide for mutual assistance among

the participating jurisdictions in the prevention of, response to, and recovery from, any disaster or emergency, or any other activity, as determined by the participating jurisdictions. The system shall provide for mutual cooperation among the participating jurisdictions in conducting disaster-related exercises, testing, or other training activities outside actual declared emergency periods. This legislation provides no immunity, rights, or privileges for any individual responding to a state of emergency that is not requested and/or authorized to respond by a participating jurisdiction. Participating jurisdictions will be ensured eligibility, to the fullest extent possible, for state and federal disaster funding.

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

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

F. In support of the Emergency Management Compact, Section 684.1 et seq. of this title, the Governor or the representative of the Governor may request mutual aid assistance from local jurisdictions for other states or their jurisdictions. In such situations, the assisting local jurisdiction shall be considered an agent of the state.

SECTION 2. This act shall become effective November 1, 2013.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/27/2013 - DO PASS, As Coauthored.