

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL NO. 480

6 By: Barrington

7 COMMITTEE SUBSTITUTE

8 An Act relating to fire protection districts;
9 amending 19 O.S. 2011, Sections 901.7 and 901.27,
10 which relate to the power and duties of directors and
11 audits; requiring fire protection districts to
12 maintain certain accounting standards; authorizing an
13 audit upon request of a county; providing for
14 codification; and providing an effective date.

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

16 SECTION 1. AMENDATORY 19 O.S. 2011, Section 901.7, is
17 amended to read as follows:

18 Section 901.7. A. The board of directors shall have the power
19 and duty to:

- 20 1. Manage and conduct the business affairs of such district;
- 21 2. Make and execute all necessary contracts;
- 22 3. Purchase or lease-purchase and maintain all necessary and
23 convenient engines, hoses, hose carts or other appliances and
24 supplies for the full equipment of a fire company or department;

1 4. Appoint fire company officers and employees, sufficient to
2 maintain and operate the equipment owned by such district;

3 5. Take by grant, purchase, condemnation, gift, devise or
4 lease, and to dispose of, real or personal property of every kind
5 necessary for the operation of the district;

6 6. Construct or otherwise acquire suitable firehouses and other
7 buildings or structures suitable for the housing of equipment and
8 supplies of the district, or for carrying on its own business and
9 affairs;

10 7. Employ such officers and employees as may be required, fix
11 their compensation and prescribe their duties;

12 8. Establish rules and regulations for the district and for the
13 prevention of fires and conflagrations within the district and for
14 the protection of property at and during any fire;

15 9. Prepare an annual budget and follow existing laws pertaining
16 to the budget process such as public notices, public hearings,
17 protest periods and filing requirements in the same manner as they
18 apply to other forms of government in Oklahoma;

19 10. Maintain a current account of all assets, liabilities,
20 revenues, and expenditures using the statutory basis of accounting
21 as prescribed by the State Auditor and Inspector;

22 11. Determine vacancies of the board of directors, fill
23 vacancies and conduct board elections in the event of a vacancy on
24 the board of directors;

1 ~~11.~~ 12. Develop bylaws for the due and orderly administration
2 of the affairs of the board of directors and for its
3 responsibilities specified pursuant to this chapter, and may compel
4 the attendance of absent members in the manner and under penalties
5 as the board may prescribe; and

6 ~~12.~~ 13. Do any and all other things necessary and proper in the
7 management and operation of the district for the purpose of
8 protecting property within its boundaries from fire.

9 B. A fire protection district, created pursuant to this
10 chapter, shall be deemed a political subdivision of this state. The
11 board may submit an application to include the fire fighters of the
12 district in the Oklahoma Firefighters Pension and Retirement System.
13 The application for affiliation shall be submitted in accordance
14 with subsection A of Section 49-105.2 of Title 11 of the Oklahoma
15 Statutes.

16 SECTION 2. AMENDATORY 19 O.S. 2011, Section 901.27, is
17 amended to read as follows:

18 Section 901.27. A. The board of directors of each fire
19 protection district with revenues of Two Hundred Fifty Thousand
20 Dollars (\$250,000.00) or more to its general fund during a fiscal
21 year shall cause an audit to be made of, including but not limited
22 to, the funds, accounts and fiscal affairs of such district. The
23 audit shall be ordered within thirty (30) days of the close of each
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1 fiscal year of the district which shall commence July 1 and end on
2 June 30.

3 B. Provided, any fire protection district may have its books
4 audited and examined by the State Auditor and Inspector, upon
5 request by the governing board of any county in which the district
6 is partly or wholly located or upon petition signed by a number of
7 registered voters, each registered at an address within the
8 geographical boundaries of the fire protection district, equal to
9 twenty-five percent (25%) of the number of persons voting for the
10 office or question receiving the highest number of votes in the last
11 annual election of the district according to certification from the
12 county election board of the county wherein supervision of the
13 district is located. The petition must be submitted to the office
14 of the State Auditor and Inspector prior to the audit and
15 examination. The cost of said audit or examination, which shall be
16 borne by the district, shall be ascertained prior to the petitioning
17 for the audit and shall be stated in the petition prior to the
18 collection of any signatures.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 595 of Title 18, unless there is
21 created a duplication in numbering, reads as follows:

22 A. Any charitable corporation formed for the purpose of
23 providing either a volunteer or a full-time fire department,
24 pursuant to Section 592 of this title, shall maintain a current

1 account of all assets, liabilities, revenues, and expenditures on a
2 basis of accounting as prescribed by the State Auditor and
3 Inspector.

4 B. Any charitable corporation formed for the purpose of
5 providing either a volunteer or a full-time fire department,
6 pursuant to Section 592 of this title, may have its books audited
7 and examined by either the State Auditor and Inspector or a
8 certified public accountant upon request by the governing board of
9 any county in which the district is partly or wholly located.

10 SECTION 4. This act shall become effective November 1, 2015.

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