

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 59

By: Boggs of the Senate

and

West (Josh) of the House

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9 An Act relating to the Oklahoma Military Department;
10 permitting the Adjutant General to enter into certain
11 agreements; providing procedures for command and
12 control; specifying contents of certain agreements;
13 directing promulgation of rules; providing for
14 codification; and declaring an emergency.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 231a of Title 44, unless there
18 is created a duplication in numbering, reads as follows:

19 A. The Adjutant General, pursuant to authority granted under 42
20 U.S.C. Section 1856a and applicable Army, Air Force or National
21 Guard regulations, may enter into a reciprocal agreement with any
22 city, county, town or municipal corporation or agency of the State
23 of Oklahoma maintaining fire protection facilities in the vicinity
24 of such property, for mutual aid in furnishing fire protection for

1 such property and for other property for which such entity normally
2 provides fire protection.

3 B. Fire protection units will continue under the command and
4 control of their regular chain of command, but the organizational
5 unit will come under operational control of the fire protection
6 service authorities of the jurisdiction receiving assistance.

7 C. Each agreement shall include a waiver by each party of all
8 claims against the other party for compensation for any loss,
9 damage, personal injury or death occurring in consequence of the
10 performance of such agreement. Any such agreement may provide for
11 the reimbursement of any party for all or any part of the cost
12 incurred by such party in furnishing fire protection for or on
13 behalf of any other party.

14 D. The Adjutant General shall promulgate rules to implement the
15 provisions of this section.

16 SECTION 2. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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21 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS,
22 dated 03/28/2017 - DO PASS.
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