

1 ENGROSSED SENATE  
2 BILL NO. 1845

By: Weaver of the Senate

3 and

4 Tadlock of the House  
5

6 An Act relating to emergency telephone services; amending 63  
7 O.S. 2011, Section 2802, which relates to the Oklahoma  
8 Emergency Telephone Act; deleting certain definition;  
9 providing certain definition; amending 63 O.S. 2011, Section  
10 2805, which relates to preparation and implementation of  
11 system; modifying authority for preparation of system plans;  
12 authorizing consultation with state agencies; amending 63  
13 O.S. 2011, Section 2806, which relates to technical and  
14 operational standards; modifying authority for establishing  
15 technical and operational standards; amending 63 O.S. 2011,  
16 Section 2807, which relates to submission of final plan to  
17 public telephone utilities; modifying requirement for filing  
18 copy of certain plan; amending Section 4, Chapter 324, O.S.L.  
19 2016 (63 O.S. Supp. 2019, Section 2864), which relates to the  
20 powers and duties of the Oklahoma 9-1-1 Management Authority;  
21 updating statutory language; requiring development of  
22 training program and standards by certain date; establishing  
23 program requirements; amending Section 8, Chapter 324, O.S.L.  
24 2016 (63 O.S. Supp. 2019, Section 2868), which relates to use  
of funds; updating statutory language; repealing 63 O.S.  
2011, Section 2818.4, which relates to presumption of  
providers' obligation to participate in 9-1-1 service;  
repealing 63 O.S. 2011, Section 2820, which relates to  
notification of use of 9-1-1 number for nonemergency calls;  
updating statutory references; and providing an effective  
date.

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

22 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2802, is  
23 amended to read as follows:  
24

1       Section 2802. As used in ~~this act~~ the Oklahoma Emergency  
2 Telephone Act:

3       1. "Basic system" means a telephone service which automatically  
4 connects a person dialing the primary emergency telephone number to  
5 an established public safety answering point through normal  
6 telephone service facilities;

7       2. ~~"Department" means the Department of Public Safety~~  
8 "Authority" means the Oklahoma 9-1-1 Management Authority;

9       3. "Direct dispatch method" means a method whereby a call over  
10 a basic or sophisticated system is connected to a centralized  
11 dispatch center providing for the dispatching of an appropriate  
12 emergency service unit upon receipt of a telephone request for such  
13 services and a decision as to the proper action to be taken;

14       4. "Methods", as used in paragraphs 3, 8, 9 and 11 of this  
15 section, means the procedures to be followed by the public agency or  
16 public safety agency affected by such paragraphs;

17       5. "Primary emergency telephone number" means the digits nine-  
18 one-one (911);

19       6. "Public agency" means any agency or political subdivision of  
20 the state which provides or has authority to provide fire fighting,  
21 police, ambulance, medical or other emergency services;

22       7. "Public safety agency" means a functional division of a  
23 public agency which provides fire fighting, police, medical or other  
24 emergency services;

1        8. "Referral method" means a method whereby a call over a basic  
2 or sophisticated system results in providing the requesting party  
3 with the telephone number of the appropriate public safety agency or  
4 other provider of emergency services;

5        9. "Relay method" means a method whereby a call over a basic or  
6 sophisticated system results in pertinent information being noted by  
7 the recipient of a telephone request for emergency services and is  
8 relayed to appropriate public safety agencies or other providers of  
9 emergency services for dispatch of an emergency service unit;

10       10. "Sophisticated system" means a basic system with the  
11 additional capability of automatic identification of the caller's  
12 number, holding the incoming call, reconnection on the same  
13 telephone line, clearing a telephone line or automatic call routing  
14 or combinations of such capabilities; and

15       11. "Transfer method" means a method whereby a call over a  
16 basic or sophisticated system is received and directly transferred  
17 to an appropriate public safety agency or other provider of  
18 emergency services.

19       SECTION 2.       AMENDATORY       63 O.S. 2011, Section 2805, is  
20 amended to read as follows:

21       Section 2805. In order to insure that proper preparation and  
22 implementation of such systems can be accomplished as provided in  
23 Section 2803 of this title, the ~~Department of Public Safety~~ Oklahoma  
24 9-1-1 Management Authority may develop an overall plan prior to

1 development of any system and shall coordinate the implementation of  
2 systems to be established pursuant to the provisions of Section 2803  
3 of this title. Any such plan shall contain an estimate of the costs  
4 of installing alternate 911 systems and an estimate of the first  
5 year's additional operating expenses, if any. The ~~Department~~  
6 Authority may formulate a plan by which it and the public agencies  
7 and public safety agencies involved may share proportionately the  
8 costs of any system and method from their current funds. The  
9 ~~Department~~ Authority may aid such agencies in the formulation of  
10 concepts, methods and procedures which will improve the operation of  
11 systems and which will increase cooperation between public safety  
12 agencies. The ~~Department~~ Authority may consult at regular intervals  
13 with ~~the State Fire Marshal, the Oklahoma State Bureau of~~  
14 ~~Investigation, the State Department of Health, the Department of~~  
15 ~~Emergency Management~~ state agencies and ~~the~~ public utilities in this  
16 state providing telephone service.

17 SECTION 3. AMENDATORY 63 O.S. 2011, Section 2806, is  
18 amended to read as follows:

19 Section 2806. The ~~Department of Public Safety~~ Authority may  
20 establish technical and operational standards for the development of  
21 basic and sophisticated systems. Such standards shall be forwarded  
22 to the Corporation Commission for consideration of any tariff  
23 limitations and conditions which may need revision to accommodate  
24 such standards; and the Corporation Commission may issue such

1 revisions after whatever hearings or procedures it deems  
2 appropriate.

3 SECTION 4. AMENDATORY 63 O.S. 2011, Section 2807, is  
4 amended to read as follows:

5 Section 2807. A. All public agencies shall submit final plans  
6 for the establishment of any system to the public telephone  
7 utilities and may make arrangement with such utilities for the  
8 implementation of the planned emergency telephone system. A copy of  
9 the plan required by this subsection shall be filed with the  
10 ~~Department of Public Safety~~ Authority.

11 B. If any public agency has implemented or is a part of a  
12 system which would be authorized by ~~this act~~ the Oklahoma Emergency  
13 Telephone Act on ~~the effective date of this act~~ May 16, 1979, such  
14 public agency may submit in lieu of the tentative or final plan a  
15 report describing the system and stating its operational date.

16 C. Plans filed pursuant to subsection A of this section shall  
17 conform to minimum standards established pursuant to Section ~~6 of~~  
18 ~~this act~~ 2806 of this title.

19 SECTION 5. AMENDATORY Section 4, Chapter 324, O.S.L.  
20 2016 (63 O.S. Supp. 2019, Section 2864), is amended to read as  
21 follows:

22 Section 2864. The powers and duties of the Oklahoma 9-1-1  
23 Management Authority created in Section ~~3 of this act~~ 2863 of this  
24 title shall be to:

1        1. Approve or disapprove the selection of the Oklahoma 9-1-1  
2 Coordinator by majority vote of the members. The Authority shall  
3 direct the Oklahoma 9-1-1 Coordinator to administer grants approved  
4 by the Authority pursuant to this section and perform other duties  
5 as it deems necessary to accomplish the requirements of the Oklahoma  
6 9-1-1 Management Authority Act;

7        2. Prepare grant solicitations for funding for the purposes of  
8 assisting public agencies with funding for consolidation of  
9 facilities or services, deployment of Phase II technology or  
10 successor technology, development of next-generation 9-1-1 regional  
11 emergency service networks, and for other purposes it deems  
12 appropriate and necessary;

13        3. Work in conjunction with the Oklahoma Department of  
14 Emergency Management to create an annual budget for the Authority,  
15 which shall be approved by majority vote of the members;

16        4. Direct the Oklahoma Tax Commission to escrow all or any  
17 portion of funds collected pursuant to the Oklahoma 9-1-1 Management  
18 Authority Act attributable to a public agency, if the public agency  
19 fails to:

- 20            a. submit or comply with master plans to deliver Phase II  
21                9-1-1 wireless locating services as required by ~~this~~  
22                act the Oklahoma 9-1-1 Management Authority Act and  
23                approved by the Authority,

- 1           b.    meet standards of the National Emergency Number  
2                Association (NENA) limited to call-taking and caller-  
3                location technology or comply with an improvement plan  
4                to meet such standards as directed by the Authority,  
5           c.    submit annual reports or audits as required by ~~this~~  
6                ~~act~~ the Oklahoma 9-1-1 Management Authority Act, or  
7           d.    comply with the requirements of ~~this act~~ the Oklahoma  
8                9-1-1 Management Authority Act or procedures  
9                established by the Authority;

10        5.    Establish and submit to the Tax Commission a list of  
11   eligible governing bodies entitled to receive 9-1-1 telephone fees  
12   and establish annual population figures for the purpose of  
13   distributing fees collected pursuant to Section ~~5 of this act~~ 2865  
14   of this title, to be derived by dividing the population of each  
15   public agency's response area by the total population of the state  
16   using data from the latest available ~~Federal Decennial~~ Census  
17   estimates as of July 1 of each year;

18        6.    Assist any public agency the Authority determines is  
19   performing below standards of the NENA, as limited by paragraph 4 of  
20   this section, according to the improvement plan required by the  
21   Oklahoma 9-1-1 Management Authority Act. The Authority shall  
22   establish a time period for the public agency to come into  
23   compliance after which the Authority shall escrow funds as  
24   authorized in this section. Improvement plans may include

1 consideration and recommendations for consolidation with other  
2 public agencies, and sharing equipment and technology with other  
3 jurisdictions;

4 7. Require an annual report from public agencies regarding  
5 operations and financing of the public safety answering point (PSAP)  
6 and approve, modify or reject such reports;

7 8. Conduct and review audits and financial records of the  
8 wireless service providers and review public agencies' audits and  
9 financial records regarding the collection, remittance and  
10 expenditures of 9-1-1 wireless telephone fees as required by the  
11 Oklahoma 9-1-1 Management Authority Act;

12 9. Develop a plan to deploy next-generation 9-1-1 services  
13 statewide. The Authority may fund feasibility and implementation  
14 studies it deems necessary to create the plan;

15 10. Facilitate information-sharing among public agencies;

16 11. Create and maintain best practices databases for PSAP  
17 operations;

18 12. Encourage equipment- and technology-sharing among all  
19 jurisdictions;

20 13. Develop training program standards for 9-1-1 call takers on  
21 or before June 30, 2021:

22 a. training program standards shall include instruction  
23 on recognizing the need for and delivery of High-  
24 Quality Telecommunicator Cardiopulmonary Resuscitation



1           (TCPR) that can be delivered by 9-1-1 call takers for  
2           acute events requiring Cardiopulmonary Resuscitation  
3           (CPR) including, but not limited to, out-of-hospital  
4           cardiac events, and

5           b. TCPR training shall follow evidence-based, nationally  
6           recognized guidelines for high-quality TCPR which  
7           incorporates recognition protocols for out-of-hospital  
8           cardiac arrest and continuous education;

9           14. Mediate disputes between public agencies and other entities  
10          involved in providing 9-1-1 emergency telephone services;

11          15. Provide a clearinghouse of contact information for  
12          communications service companies and PSAPs operating in this state;

13          16. Make recommendations for consolidation upon the request of  
14          public agencies; and

15          17. Take any steps necessary to carry out the duties required  
16          by the Oklahoma 9-1-1 Management Authority Act.

17          SECTION 6.           AMENDATORY           Section 8, Chapter 324, O.S.L.  
18          2016 (63 O.S. Supp. 2019, Section 2868), is amended to read as  
19          follows:

20          Section 2868. A. Public agencies recognized by the Oklahoma 9-  
21          1-1 Management Authority and authorized to receive funds collected  
22          pursuant to the provisions of ~~this act~~ the Oklahoma 9-1-1 Management  
23          Authority Act shall use the funds only for services, equipment and  
24          operations related to 9-1-1 emergency telephone ~~systems~~ service.

1       B. Money remitted to public agencies pursuant to the Oklahoma  
2 9-1-1 Management Authority Act and any money otherwise collected by  
3 any lawful means for purposes of providing 9-1-1 emergency telephone  
4 services shall be deposited in a separate 9-1-1 emergency telephone  
5 service account established by a public agency or its governing body  
6 to carry out the requirements of ~~this act~~ the Oklahoma 9-1-1  
7 Management Authority Act. Monies remaining in such accounts at the  
8 end of a fiscal year shall carry over to subsequent years. The  
9 monies deposited in the Oklahoma 9-1-1 Management Authority  
10 Revolving Fund shall at no time be monies of the state and shall not  
11 become part of the general budget of the Office of Emergency  
12 Management or any other state agency. Except as otherwise  
13 authorized by ~~this act~~ the Oklahoma 9-1-1 Management Authority Act,  
14 no monies from the Oklahoma 9-1-1 Management Authority Revolving  
15 Fund shall be transferred for any purpose to any other state agency  
16 or any account of the Office of Emergency Management or be used for  
17 the purpose of contracting with any other state agency or  
18 reimbursing any other state agency for any expense. Payments from  
19 the Oklahoma 9-1-1 Management Authority Revolving Fund shall not  
20 become or be construed to be any obligation of the state. No claims  
21 for reimbursement from the Oklahoma 9-1-1 Management Authority  
22 Revolving Fund shall be paid with state monies.

23       C. If the Oklahoma 9-1-1 Management Authority determines that  
24 the public agency has failed to deploy Phase II service or has

1 failed to deliver service consistent with National Emergency Number  
2 Association (NENA) standards, the public agency shall submit an  
3 improvement plan within the time prescribed by the Authority. The  
4 Authority may order the Oklahoma Tax Commission to escrow fees  
5 attributable to public agencies which have not submitted plans or  
6 complied with improvement plans.

7 D. A public agency shall be required to have conducted  
8 separately or as a part of the annual audit required by law of the  
9 municipality or county an annual audit of any accounts established  
10 or used for the operation of a 9-1-1 emergency telephone system.  
11 The audit may be conducted by the State Auditor and Inspector at the  
12 discretion of the public agency. The cost of the audit of the 9-1-1  
13 emergency telephone system may be paid from and be considered a part  
14 of the operating expenses of the 9-1-1 emergency telephone system.  
15 Proprietary information of the wireless service providers shall be  
16 confidential. Audit information pertaining to revenue collected or  
17 disbursed may be released only in aggregate form so that no  
18 provider-specific information may be extrapolated.

19 E. Public agencies shall be required to annually submit to the  
20 Authority:

21 1. A report, on a form to be prescribed by the Authority,  
22 covering the operation and financing of the public safety answering  
23 point which shall include all sources of funding available to the  
24 public agency for the 9-1-1 emergency telephone system; and

1        2. A copy of the most recent annual audit showing all expenses  
2 of the public agency relating to the 9-1-1 emergency telephone  
3 system.

4        F. The Authority shall have the power to review, approve,  
5 submit for further information or deny approval of the annual report  
6 of each public agency required pursuant to subsection E of this  
7 section. Failure by a public agency to submit the report annually  
8 or denial of a report may cause the Authority to order the Tax  
9 Commission to escrow the 9-1-1 emergency telephone fees due to the  
10 public agency until the public agency complies with the requirements  
11 of the Oklahoma 9-1-1 Management Authority Act and the procedures  
12 established by the Authority.

13        G. The governing body of the public agency shall meet at least  
14 quarterly to oversee the operations of the 9-1-1 emergency telephone  
15 system, review expenditures and annually set and approve an  
16 operating budget, and take any other action as necessary for the  
17 operation and management of the system.

18        H. Records and meetings of the public agency shall be subject  
19 to the Oklahoma Open Records Act and the Oklahoma Open Meeting Act.

20        SECTION 7.        REPEALER        63 O.S. 2011, Section 2818.4, is  
21 hereby repealed.

22        SECTION 8.        REPEALER        63 O.S. 2011, Section 2820, is  
23 hereby repealed.

24        SECTION 9. This act shall become effective November 1, 2020.

1 Passed the Senate the 10th day of March, 2020.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2020.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives