

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 2882

By: Tadlock

AS INTRODUCED

An Act relating to public health; amending Section 4, Chapter 324, O.S.L. 2016 (63 O.S. Supp. 2019, Section 2864), which relates to the powers and duties of the Oklahoma 9-1-1 Management Authority; requiring establishment of training program standards; amending Section 8, Chapter 324, O.S.L. 2016 (63 O.S. Supp. 2019, Section 2868), which relates to the use of funds by the Oklahoma 9-1-1 Management Authority; updating terminology; and providing an effective date.

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

SECTION 1. AMENDATORY Section 4, Chapter 324, O.S.L. 2016 (63 O.S. Supp. 2019, Section 2864), is amended to read as follows:

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

1. Approve or disapprove the selection of the Oklahoma 9-1-1 Coordinator by majority vote of the members. The Authority shall direct the Oklahoma 9-1-1 Coordinator to administer grants approved by the Authority pursuant to this section and perform other duties

1 as it deems necessary to accomplish the requirements of the Oklahoma
2 9-1-1 Management Authority Act;

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

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

12 4. Direct the Oklahoma Tax Commission to escrow all or any
13 portion of funds collected pursuant to the Oklahoma 9-1-1 Management
14 Authority Act attributable to a public agency, if the public agency
15 fails to:

- 16 a. submit or comply with master plans to deliver Phase II
17 9-1-1 wireless locating services as required by this
18 act and approved by the Authority,
- 19 b. meet standards of the National Emergency Number
20 Association (NENA) limited to call-taking and caller-
21 location technology or comply with an improvement plan
22 to meet such standards as directed by the Authority,
- 23 c. submit annual reports or audits as required by this
24 act, or

d. comply with the requirements of this act or procedures established by the Authority;

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

6. Assist any public agency the Authority determines is performing below standards of the NENA, as limited by paragraph 4 of this section, according to the improvement plan required by the Oklahoma 9-1-1 Management Authority Act. The Authority shall establish a time period for the public agency to come into compliance after which the Authority shall escrow funds as authorized in this section. Improvement plans may include consideration and recommendations for consolidation with other public agencies, and sharing equipment and technology with other jurisdictions;

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

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

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

9 10. Facilitate information-sharing among public agencies;

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

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

14 13. Develop training program standards for 9-1-1 call takers on
15 or before December 31, 2020, that shall:

16 a. include training program standards which shall include
17 instructions on recognizing the need for and delivery
18 of high-quality Telecommunicator CPR (TCPR) that can
19 be provided by 9-1-1 call takers for acute events
20 requiring CPR including, but not limited to, out-of-
21 hospital cardiac events, and

22 b. follow evidence-based, nationally recognized
23 guidelines for high-quality TCPR which incorporates
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1 recognition protocols for out-of-hospital cardiac
2 arrest and continuous education;

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

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

7 16. Make recommendations for consolidation upon the request of
8 public agencies; and

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

11 SECTION 2. AMENDATORY Section 8, Chapter 324, O.S.L.
12 2016 (63 O.S. Supp. 2019, Section 2868), is amended to read as
13 follows:

14 Section 2868. A. Public agencies recognized by the Oklahoma 9-
15 1-1 Management Authority and authorized to receive funds collected
16 pursuant to the provisions of this act shall use the funds only for
17 services, equipment and operations related to 9-1-1 emergency
18 telephone ~~systems~~ services.

19 B. Money remitted to public agencies pursuant to the Oklahoma
20 9-1-1 Management Authority Act and any money otherwise collected by
21 any lawful means for purposes of providing 9-1-1 emergency telephone
22 services shall be deposited in a separate 9-1-1 emergency telephone
23 service account established by a public agency or its governing body
24 to carry out the requirements of this act. Monies remaining in such

1 accounts at the end of a fiscal year shall carry over to subsequent
2 years. The monies deposited in the Oklahoma 9-1-1 Management
3 Authority Revolving Fund shall at no time be monies of the state and
4 shall not become part of the general budget of the Office of
5 Emergency Management or any other state agency. Except as otherwise
6 authorized by this act, no monies from the Oklahoma 9-1-1 Management
7 Authority Revolving Fund shall be transferred for any purpose to any
8 other state agency or any account of the Office of Emergency
9 Management or be used for the purpose of contracting with any other
10 state agency or reimbursing any other state agency for any expense.
11 Payments from the Oklahoma 9-1-1 Management Authority Revolving Fund
12 shall not become or be construed to be any obligation of the state.
13 No claims for reimbursement from the Oklahoma 9-1-1 Management
14 Authority Revolving Fund shall be paid with state monies.

15 C. If the Oklahoma 9-1-1 Management Authority determines that
16 the public agency has failed to deploy Phase II service or has
17 failed to deliver service consistent with National Emergency Number
18 Association (NENA) standards, the public agency shall submit an
19 improvement plan within the time prescribed by the Authority. The
20 Authority may order the Oklahoma Tax Commission to escrow fees
21 attributable to public agencies which have not submitted plans or
22 complied with improvement plans.

23 D. A public agency shall be required to have conducted
24 separately or as a part of the annual audit required by law of the

1 municipality or county an annual audit of any accounts established
2 or used for the operation of a 9-1-1 emergency telephone system.
3 The audit may be conducted by the State Auditor and Inspector at the
4 discretion of the public agency. The cost of the audit of the 9-1-1
5 emergency telephone system may be paid from and be considered a part
6 of the operating expenses of the 9-1-1 emergency telephone system.
7 Proprietary information of the wireless service providers shall be
8 confidential. Audit information pertaining to revenue collected or
9 disbursed may be released only in aggregate form so that no
10 provider-specific information may be extrapolated.

11 E. Public agencies shall be required to annually submit to the
12 Authority:

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

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

20 F. The Authority shall have the power to review, approve,
21 submit for further information or deny approval of the annual report
22 of each public agency required pursuant to subsection E of this
23 section. Failure by a public agency to submit the report annually
24 or denial of a report may cause the Authority to order the Tax

1 Commission to escrow the 9-1-1 emergency telephone fees due to the
2 public agency until the public agency complies with the requirements
3 of the Oklahoma 9-1-1 Management Authority Act and the procedures
4 established by the Authority.

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

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

12 SECTION 3. This act shall become effective November 1, 2020.

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