

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2839

By: Roberts (Sean)

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6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2011, Section 683.11, which relates to
9 political subdivisions and emergency management;
10 requiring certain municipalities to create agreements
11 with counties for certain services; prohibiting
12 certain municipalities from employing certain staff;
13 allowing certain municipalities to create certain
14 agreements with counties or to employ certain staff;
15 and providing an effective date.

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

17 SECTION 1. AMENDATORY 63 O.S. 2011, Section 683.11, is
18 amended to read as follows:

19 Section 683.11. A. All incorporated jurisdictions of this
20 state are required to develop an emergency management program in
21 accordance with the Oklahoma Emergency Management Act of 2003.
22 County jurisdictions are required to have a qualified emergency
23 management director as outlined in this section. Incorporated
24 municipalities with a population less than One Hundred Thousand
(100,000) according to the Federal Decennial Census or most recent
population estimate are required to create an agreement with the

1 county for emergency management services but shall not employ an
2 emergency management director or emergency management staff.
3 Incorporated municipalities with a population greater than One
4 Hundred Thousand (100,000) according to the Federal Decennial Census
5 or most recent population estimate are required to either have an
6 emergency management director or create an agreement with the county
7 for emergency management services. Each local organization for
8 emergency management shall have a director who shall be appointed by
9 the executive officer or governing body of the political
10 subdivision, who shall report directly to the chief executive
11 officer or chief operating officer and who shall have direct
12 responsibility for the organization, administration, and operation
13 of such local organization for emergency management, subject to the
14 direction and control of such executive officer or governing body.
15 Each local organization for emergency management shall perform
16 emergency management functions within the territorial limits of the
17 political subdivisions within which it is organized, and, in
18 addition, shall conduct such functions outside of such territorial
19 limits as may be required pursuant to this act. Each local
20 emergency management organization shall develop, maintain and
21 revise, as necessary, an emergency operations plan for the
22 jurisdiction. Each plan shall address the emergency management
23 system functions of preparedness, response, recovery and mitigation.
24 Such plan shall be based upon a hazard and risk assessment for the

1 jurisdiction and shall include provisions for evacuation of all or a
2 portion of the jurisdiction based upon such risk in the event any
3 disaster, as defined in Section 683.3 of this title, necessitates
4 the evacuation of its citizens. Every political subdivision shall
5 ensure that there is widespread dissemination of the plan and
6 information to citizens as to how and when such plan is activated
7 and how citizens are to participate in evacuating their communities
8 in the event of a disaster. The plan shall be reviewed annually.
9 Such plan shall be coordinated with the state.

10 B. Emergency Management Directors (EMD) shall meet the
11 qualifications promulgated by the Oklahoma Department of Emergency
12 Management (OEM). The minimum qualifications include:

- 13 1. U.S. citizenship;
- 14 2. High school diploma or equivalent;
- 15 3. Valid Oklahoma driver license;
- 16 4. Social security number;
- 17 5. Has not been convicted of a felony in Oklahoma; and
- 18 6. Within one (1) year of appointment, the EMD must complete
19 basic emergency management training provided by the OEM.

20 C. Prior to employment, the employing agency shall obtain a
21 name-based background search by the Oklahoma State Bureau of
22 Investigation to determine if the EMD has been convicted of a
23 felony.

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1 D. Each Emergency Management Director shall be responsible for
2 all aspects of emergency management in their jurisdiction including:
3 conducting a hazard analysis detailing risks and vulnerabilities,
4 annually updating the existing all-hazard Emergency Operations Plan
5 (EOP), conducting and arranging for necessary training of all
6 relevant personnel, conducting annual exercises to evaluate the
7 plan, managing resources, determining shortfalls in equipment,
8 personnel and training, revising the EOP as necessary, establishing
9 and maintaining an office of emergency management, communications,
10 warnings, conducting or supervising damage assessment and other pre-
11 and post-disaster-related duties.

12 E. Local fire departments, law enforcement and other first
13 response agencies shall notify the Emergency Management Director of
14 all significant events occurring in the jurisdiction. Emergency
15 Management Directors shall promptly report significant events to the
16 Oklahoma Department of Emergency Management.

17 F. In carrying out the provisions of this act, each political
18 subdivision, in which any disaster as defined in Section 683.3 of
19 this title occurs, shall have the authority to declare a local
20 emergency and the power to enter into contracts and incur
21 obligations necessary to combat such disaster, protecting the health
22 and safety of persons and property, and providing emergency
23 assistance to the victims of such disaster. Each political
24 subdivision is authorized to exercise the powers vested under this

1 section in the light of the exigencies of the extreme emergency
2 situation without regard to time-consuming procedures and
3 formalities prescribed by law, excepting mandatory constitutional
4 requirements, pertaining to the performance of public work, entering
5 into contracts, the incurring of obligations, the employment of
6 temporary workers, the rental of equipment, the purchase of supplies
7 and materials, and the appropriation and expenditure of public
8 funds.

9 SECTION 2. This act shall become effective November 1, 2021.

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11 58-1-7032 AB 12/23/20

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