

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 2979

By: Kane

AS INTRODUCED

An Act relating to fire protection districts; amending 19 O.S. 2021, Section 901.23a, which relates to annexation of all or a portion of a fire protection district; modifying certified mail notice requirement; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2021, Section 901.23a, is amended to read as follows:

Section 901.23a. In the case of a municipality annexing a portion of or all of a fire protection district as established by this section the following shall apply:

1. The delivery of fire protection services shall meet or exceed the current levels and standards of fire protection services being provided by the fire protection district, pursuant to the provisions of Section 324.8 of Title 74 of the Oklahoma Statutes, in order for a municipality, private entity, organization, corporation or company to provide fire protection services to a fire protection district;

1 2. A vote of fifty-one percent (51%) of those paying the
2 current assessment is required to withdraw from the fire protection
3 district. The municipality is responsible for the cost of the
4 election;

5 3. The fire protection district and the board of the county
6 commissioners shall be notified by certified mail ~~ninety (90)~~ thirty
7 (30) days prior to the municipality taking final action on the
8 annexation;

9 4. Existing debt service shall either be assumed by the
10 annexing municipality based on the share of the percent of revenue
11 the area annexed generated or the assessment shall be continued
12 until the debt is paid in full. The municipality must include this
13 provision in the final annexation resolution;

14 5. The municipality may elect continuing with the effected fire
15 protection district provided that the fire protection district
16 continues to receive the assessment without restrictions.
17 Additional support may be provided by the municipality in the sole
18 discretion of the municipality;

19 6. If, in the judgment of the board of county commissioners,
20 the exodus of the territory sought to be withdrawn from the district
21 and is contained within the proposed annexation of the municipality,
22 will make further existence of the district impracticable, the board
23 shall proceed to order dissolution of the district. In the case of
24 withdrawal of any property from the district as herein provided,

1 such property shall remain subject to the payment of its
2 proportionate part of any bonds theretofore authorized by the
3 district and shall remain subject to annual assessment for the
4 payment of the principal and interest thereof in the same manner and
5 to the same extent as if such property had not been withdrawn. Such
6 annual assessments, however, shall be computed upon the appraisal
7 shown on the district appraisal record at the time of the withdrawal
8 of such property;

9 7. The municipality may, through negotiations with the board of
10 county commissioners and the fire protection district, acquire the
11 assets and liabilities of the district if it ensures the best fire
12 protection for the citizens of the district and protects the best
13 use of the investment which has been made by the citizens of the
14 district; and

15 8. If the municipality may elect to contract for fire
16 protection with the fire protection district. The contract shall
17 address enforcement of fire code, building permits, level of
18 service, billing, relationship with existing municipal fire
19 department (i.e. mutual aid agreement, subordinate role, direct
20 supervision, etc.), additional funding and other issues agreed to by
21 the two parties.

22 SECTION 2. This act shall become effective November 1, 2024.

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24 59-2-8855 MJ 12/08/23