

An Act

ENROLLED HOUSE
BILL NO. 1052

By: Kelley of the House

and

Green of the Senate

An Act relating to fire departments; amending 11 O.S. 2021, Section 29-102, which relates to activity reports from city fire departments; directing that reports utilize the National Emergency Response Information System; directing reports to be completed within forty-eight hours of incident; directing certain charitable corporations to submit reports utilizing the National Emergency Response Information System; providing report contents; requiring reports to be submitted within forty-eight hours of incident; amending 19 O.S. 2021, Section 901.7a, which relates to activity reports from fire protection districts; directing fire chief to utilize the National Emergency Response Information System; requiring reports be completed within forty-eight hours of incident; providing for codification; and providing an effective date.

SUBJECT: Fire departments

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 29-102, is amended to read as follows:

Section 29-102. All cities having a paid fire department shall have one full-time fire chief who shall supervise and administer the fire department in accordance with the policies and procedures prescribed by the governing body or by the city manager. The fire department shall be under the direction and control of the fire chief who shall not serve as fire chief and also as police chief, city manager, mayor or any other position that impairs the ability to perform the duties of a fire chief. The fire chief, whether

permanent or interim, of any paid municipal fire department shall have had at least three (3) years' actual experience as a paid fire fighter before assuming the position of fire chief. It shall be the duty of the fire chief to file the appropriate activity ~~report forms~~ reports utilizing the National Emergency Response Information System (NERIS) with the Office of the State Fire Marshal in Oklahoma City ~~on an annual basis.~~ The activity report forms ~~shall be designed by the State Fire Marshal and~~ shall include, but not be limited to, the amount of property and vehicle fire loss, types of fires, inspections and investigations that occurred. The report shall include notification of all fire-related civilian deaths and injuries in the respective jurisdiction and of fire fighter deaths in the line of duty and of fire fighter injuries in the line of duty requiring the services of a hospital or physician or both, and these fire-related burn injuries and death reports shall be completed within forty-eight (48) hours of the incident.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 595 of Title 18, unless there is created a duplication in numbering, reads as follows:

Any charitable corporation formed in an unincorporated area for the purpose of providing either a volunteer or a full-time fire department, such as mentioned in Section 592 of Title 18 of the Oklahoma Statutes, shall be required to file the appropriate activity reports utilizing the National Emergency Response Information System (NERIS) with the Office of the State Fire Marshal in Oklahoma City. The activity report forms shall include, but not be limited to, the amount of property and vehicle fire loss, types of fires, inspections, and investigations. The report shall include notification of all fire-related civilian deaths and injuries in the respective jurisdiction and of firefighter deaths in the line of duty and of firefighter injuries in the line of duty requiring the services of a hospital or physician or both, and these fire-related burn injuries and death reports shall be completed within forty-eight (48) hours of the incident.

SECTION 3. AMENDATORY 19 O.S. 2021, Section 901.7a, is amended to read as follows:

Section 901.7a. All Fire Protection Districts having more than two full-time paid firefighters shall have one full-time fire chief who shall supervise and administer the fire protection district in accordance with the policies and procedures prescribed by the board of directors. The fire protection district shall be under the

direction and control of the fire chief. The fire chief, whether permanent or interim, of any paid or combination fire protection district shall have had at least three (3) years actual experience as a paid firefighter before assuming the position of fire chief. During the initial transition from a volunteer fire protection district to one having more than two full-time firefighters, the paid fire chief shall have had at least three (3) years of experience as a paid firefighter or at least five (5) years of experience as a volunteer fire chief officer with that department before assuming the position of paid fire chief. The board may add additional requirements to the position as necessary.

1. The fire chief:

- a. shall be at the head of the department, subject to the laws of the State of Oklahoma, rules of the board of directors and the rules and regulations herein adopted,
- b. shall be held responsible for the general condition and efficient operation of the department, the training of members and the performance of all other duties imposed upon him or her by law or the board of directors,
- c. may inspect or cause to be inspected by members of the department, the fire hydrants, cisterns and other sources of water supply at least twice a year,
- d. shall maintain a library or file of publications on fire prevention and fire protection and shall make use of the library or file to the best advantage of all members,
- e. shall make every effort to attend all fires and direct the officers and members of the fire department in the performance of their duties,
- f. shall see that the citizens are kept informed on fire hazards within the boundaries of the department and on the activities of the department,
- g. shall see that each fire is carefully investigated to determine its cause, and in the case of suspicion of incendiarism shall notify proper authorities. The

fire chief shall secure and preserve all possible evidence for future use in the case of a suspicious incendiarism, and

- h. shall file the appropriate activity ~~report forms~~ reports utilizing the National Emergency Response Information System (NERIS) with the Office of the State Fire Marshal in Oklahoma City ~~on an annual basis~~. The activity report forms ~~shall be designed by the State Fire Marshal and~~ shall include, but not be limited to, the amount of property and vehicle fire loss, types of fires, inspections and investigations. The report shall include notification of all fire-related civilian deaths and injuries in the respective jurisdiction and of firefighter deaths in the line of duty and of firefighter injuries in the line of duty requiring the services of a hospital or physician or both, and these fire-related burn injuries and death reports shall be completed within forty-eight (48) hours of the incident.

2. Assistant fire chief. In the absence of the fire chief, the assistant fire chief on duty shall command the department and be held responsible therefore in all respects with the full powers and responsibilities of the fire chief.

3. Company officers. The company officers shall be selected upon their ability to meet the following requirements:

- a. knowledge of firefighting,
- b. leadership ability, and
- c. knowledge of firefighting equipment.

SECTION 4. This act shall become effective November 1, 2025.

Passed the House of Representatives the 10th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 29th day of April, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____