

ESB 1166

THE HOUSE OF REPRESENTATIVES
Monday, April 13, 2009

ENGROSSED
Senate Bill No. 1166
As Amended

ENGROSSED SENATE BILL NO. 1166 - By: JOLLEY AND GARRISON of the Senate
and TERRILL of the House.

(public health and safety - creating the Regional Emergency Nine-One-One
Services Act – codification - effective date – emergency)

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 2849 of Title 63, unless there is created a duplication in numbering,
3 reads as follows:

4 A. This act shall be known and may be cited as the "Regional Emergency Nine-One-
5 One Services Act".

6 B. It is the purpose of the Regional Emergency Nine-One-One Services Act to
7 encourage formation of emergency communication districts in order to provide efficient
8 delivery of emergency nine-one-one (911) service throughout the state.

9 C. This act shall not apply to any nine-one-one (911) system or public agency
10 participating in a nine-one-one (911) system that was established prior to January 1,
11 2009, and that had adopted and begun implementation of a process to provide Phase I
12 and Phase II nine-one-one (911) service by that date.

1 D. For the purposes of this section:

2 1. "District" means an emergency communication district;

3 2. "Emergency communication district" means a district formed pursuant to this
4 act to deliver emergency nine-one-one (911) services on a regional basis;

5 3. "Nine-one-one system" means an entity that processes emergency 9-1-1 calls
6 through a public safety answering point;

7 4. "Participating public agency" means a public agency that is included in a district;

8 5. "Principal municipality" means the municipality with the largest population in a
9 district; and

10 6. "Public agency" means a municipality or county that provides or has authority to
11 provide fire-fighting, law enforcement, ambulance, medical or other emergency services,
12 provided it does not mean any entity excluded from this act by the provisions of
13 subsection C of this section.

14 E. On or before December 31, 2012, all public agencies in this state shall form
15 regional emergency communication districts for the purpose of creating an area-wide
16 emergency nine-one-one (911) system for their respective jurisdictions. The territory of
17 the district shall be coextensive with the territory of the regional substate planning
18 district. If a public agency is situated in more than one such territory it shall become
19 part of the district in which it is principally located. If, due to the effect of subsection C
20 of this section, the majority of the participating public agencies located in the territory of
21 a proposed district determine that it would be in the best interests of their citizens, they
22 may request inclusion in an adjacent district.

1 F. The public agencies to be included in each district may form the district by
2 entering into local cooperative agreements which shall establish a governance structure
3 and provide for the joint implementation, funding, operation, and management of the
4 district.

5 G. If the public agencies in a region are unable to develop a local cooperative
6 agreement by December 31, 2012, they shall be included in an emergency communication
7 district that is governed by a board of directors consisting of an appointee by each public
8 agency that was authorized by its voters to fund a nine-one-one (911) system prior to the
9 formation of the district, one appointee elected by a majority of the remaining public
10 agencies in the district, and an additional appointee by the principal municipality in the
11 district who shall serve as chair of the board.

12 H. Unless otherwise provided by agreement, any participating public agency that
13 had been authorized by its voters to fund a nine-one-one (911) system prior to the
14 formation of the district shall retain control of the property, operation, and funding of its
15 system; provided, however, the district may contract with such participating public
16 agency to include the agency's system in the district's master implementation plan. To
17 the extent practicable, the district shall not duplicate the equipment or answering point
18 services already provided by a participating public agency. A user of one or more
19 communication services subject to the payment of fees or taxes for an emergency nine-
20 one-one (911) system shall not be charged for more than one such fee or tax for each
21 service.

1 I. An emergency communication district shall have power to make all contracts to
2 carry out the purposes of this act, purchase and convey real property, impose service fees
3 authorized for public agencies for the provision of nine-one-one (911) service, appoint a
4 manager of the district and adopt rules and policies for the operation of the district.

5 J. Within one (1) year after the effective date of the formation of the district, the
6 board of directors shall prepare its master plan to deliver emergency nine-one-one (911)
7 service throughout its territory. It shall periodically review and update its plan.

8 K. An emergency communication district shall operate on a fiscal year beginning
9 July 1st. It shall adopt an annual budget and cause to be prepared an independent
10 financial audit annually. As soon as practicable after the end of the fiscal year, the
11 district shall deliver to each participating public agency an annual report showing in
12 detail the operations of the district.

13 SECTION 2. This act shall become effective July 1, 2009.

14 SECTION 3. It being immediately necessary for the preservation of the public
15 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
16 this act shall take effect and be in full force from and after its passage and approval.

17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
18 dated 04-09-09 - DO PASS, As Amended.