

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2766

By: Ford

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5  
6 AS INTRODUCED

7 An Act relating to emergency telephone services;  
8 amending 63 O.S. 2011, Section 2802, which relates to  
the Oklahoma Emergency Telephone Act; deleting  
9 certain definition; providing certain definition;  
10 amending 63 O.S. 2011, Section 2805, which relates to  
preparation and implementation of system; modifying  
11 authority for preparation of system plans;  
authorizing consultation with state agencies;  
12 amending 63 O.S. 2011, Section 2806, which relates to  
technical and operational standards; modifying  
13 authority for establishing technical and operational  
standards; amending 63 O.S. 2011, Section 2807, which  
14 relates to submission of final plan to public  
telephone utilities; modifying requirement for filing  
15 copy of certain plan; amending Section 4, Chapter  
324, O.S.L. 2016 (63 O.S. Supp. 2019, Section 2864),  
16 which relates to the powers and duties of the  
Oklahoma 9-1-1 Management Authority; updating  
17 statutory language; requiring development of training  
program and standards by certain date; establishing  
18 program requirements; amending Section 8, Chapter  
324, O.S.L. 2016 (63 O.S. Supp. 2019, Section 2868),  
19 which relates to use of funds; updating statutory  
language; repealing 63 O.S. 2011, Section 2818.4,  
20 which relates to presumption of providers' obligation  
to participate in 9-1-1 service; repealing 63 O.S.  
21 2011, Section 2820, which relates to notification of  
use of 9-1-1 number for nonemergency calls; and  
providing an effective date.

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

1 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2802, is  
2 amended to read as follows:

3 Section 2802. As used in ~~this act~~ the Oklahoma Emergency  
4 Telephone Act:

5 1. "Authority" means the Oklahoma 9-1-1 Management Authority;

6 2. "Basic system" means a telephone service which automatically  
7 connects a person dialing the primary emergency telephone number to  
8 an established public safety answering point through normal  
9 telephone service facilities;

10 ~~2. "Department" means the Department of Public Safety;~~

11 3. "Direct dispatch method" means a method whereby a call over  
12 a basic or sophisticated system is connected to a centralized  
13 dispatch center providing for the dispatching of an appropriate  
14 emergency service unit upon receipt of a telephone request for such  
15 services and a decision as to the proper action to be taken;

16 4. "Methods", as used in paragraphs 3, 8, 9 and 11 of this  
17 section, means the procedures to be followed by the public agency or  
18 public safety agency affected by such paragraphs;

19 5. "Primary emergency telephone number" means the digits nine-  
20 one-one (911);

21 6. "Public agency" means any agency or political subdivision of  
22 the state which provides or has authority to provide fire fighting,  
23 police, ambulance, medical or other emergency services;

24

1       7. "Public safety agency" means a functional division of a  
2 public agency which provides ~~fire fighting~~ firefighting, police,  
3 medical or other emergency services;

4       8. "Referral method" means a method whereby a call over a basic  
5 or sophisticated system results in providing the requesting party  
6 with the telephone number of the appropriate public safety agency or  
7 other provider of emergency services;

8       9. "Relay method" means a method whereby a call over a basic or  
9 sophisticated system results in pertinent information being noted by  
10 the recipient of a telephone request for emergency services and is  
11 relayed to appropriate public safety agencies or other providers of  
12 emergency services for dispatch of an emergency service unit;

13       10. "Sophisticated system" means a basic system with the  
14 additional capability of automatic identification of the caller's  
15 number, holding the incoming call, reconnection on the same  
16 telephone line, clearing a telephone line or automatic call routing  
17 or combinations of such capabilities; and

18       11. "Transfer method" means a method whereby a call over a  
19 basic or sophisticated system is received and directly transferred  
20 to an appropriate public safety agency or other provider of  
21 emergency services.

22       SECTION 2.        AMENDATORY        63 O.S. 2011, Section 2805, is  
23 amended to read as follows:

1 Section 2805. In order to ~~insure~~ ensure that proper preparation  
2 and implementation of such systems can be accomplished as provided  
3 in Section 2803 of this title, the ~~Department of Public Safety~~  
4 Oklahoma 9-1-1 Management Authority may develop an overall plan  
5 prior to development of any system and shall coordinate the  
6 implementation of systems to be established pursuant to the  
7 provisions of Section 2803 of this title. Any such plan shall  
8 contain an estimate of the costs of installing alternate 911 systems  
9 and an estimate of the first year's additional operating expenses,  
10 if any. The ~~Department~~ Authority may formulate a plan by which it  
11 and the public agencies and public safety agencies involved may  
12 share proportionately the costs of any system and method from their  
13 current funds. The ~~Department~~ Authority may aid such agencies in  
14 the formulation of concepts, methods and procedures which will  
15 improve the operation of systems and which will increase cooperation  
16 between public safety agencies. The ~~Department~~ Authority may  
17 consult at regular intervals with ~~the State Fire Marshal, the~~  
18 ~~Oklahoma State Bureau of Investigation, the State Department of~~  
19 ~~Health, the Department of Emergency Management~~ state agencies and  
20 ~~the~~ public utilities in this state providing telephone service.

21 SECTION 3. AMENDATORY 63 O.S. 2011, Section 2806, is  
22 amended to read as follows:

23 Section 2806. The ~~Department of Public Safety~~ Oklahoma 9-1-1  
24 Management Authority may establish technical and operational

1 standards for the development of basic and sophisticated systems.  
2 Such standards shall be forwarded to the Corporation Commission for  
3 consideration of any tariff limitations and conditions which may  
4 need revision to accommodate such standards~~7,~~ and the Corporation  
5 Commission may issue such revisions after whatever hearings or  
6 procedures it deems appropriate.

7 SECTION 4. AMENDATORY 63 O.S. 2011, Section 2807, is  
8 amended to read as follows:

9 Section 2807. A. All public agencies shall submit final plans  
10 for the establishment of any system to the public telephone  
11 utilities and may make arrangement with such utilities for the  
12 implementation of the planned emergency telephone system. A copy of  
13 the plan required by this subsection shall be filed with the  
14 ~~Department of Public Safety~~ Oklahoma 9-1-1 Management Authority.

15 B. If any public agency has implemented or is a part of a  
16 system which would be authorized by ~~this act~~ the Oklahoma Emergency  
17 Telephone Act on ~~the effective date of this act~~ May 16, 1979, such  
18 public agency may submit in lieu of the tentative or final plan a  
19 report describing the system and stating its operational date.

20 C. Plans filed pursuant to subsection A of this section shall  
21 conform to minimum standards established pursuant to Section ~~6 of~~  
22 ~~this act~~ 2806 of this title.

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1 SECTION 5. AMENDATORY Section 4, Chapter 324, O.S.L.  
2 2016 (63 O.S. Supp. 2019, Section 2864), is amended to read as  
3 follows:

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

7 1. Approve or disapprove the selection of the Oklahoma 9-1-1  
8 Coordinator by majority vote of the members. The Authority shall  
9 direct the Oklahoma 9-1-1 Coordinator to administer grants approved  
10 by the Authority pursuant to this section and perform other duties  
11 as it deems necessary to accomplish the requirements of the Oklahoma  
12 9-1-1 Management Authority Act;

13 2. Prepare grant solicitations for funding for the purposes of  
14 assisting public agencies with funding for consolidation of  
15 facilities or services, deployment of Phase II technology or  
16 successor technology, development of next-generation 9-1-1 regional  
17 emergency service networks, and for other purposes it deems  
18 appropriate and necessary;

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

22 4. Direct the Oklahoma Tax Commission to escrow all or any  
23 portion of funds collected pursuant to the Oklahoma 9-1-1 Management  
24

1 Authority Act attributable to a public agency, if the public agency  
2 fails to:

3 a. submit or comply with master plans to deliver Phase II  
4 9-1-1 wireless locating services as required by ~~this~~  
5 ~~act~~ the Oklahoma 9-1-1 Management Authority Act and  
6 approved by the Authority,

7 b. meet standards of the National Emergency Number  
8 Association (NENA) limited to call-taking and caller-  
9 location technology or comply with an improvement plan  
10 to meet such standards as directed by the Authority,

11 c. submit annual reports or audits as required by ~~this~~  
12 ~~act~~ the Oklahoma 9-1-1 Management Authority Act, or

13 d. comply with the requirements of ~~this act~~ the Oklahoma  
14 9-1-1 Management Authority Act or procedures  
15 established by the Authority;

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

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

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

14           8. Conduct and review audits and financial records of the  
15 wireless service providers and review public agencies' audits and  
16 financial records regarding the collection, remittance and  
17 expenditures of 9-1-1 wireless telephone fees as required by the  
18 Oklahoma 9-1-1 Management Authority Act;

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

22           10. Facilitate information-sharing among public agencies;

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



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

3 13. Develop training program standards for 9-1-1 call takers on  
4 or before June 30, 2021.

5 a. Training program standards shall include instruction  
6 on recognizing the need for and delivery of High-  
7 Quality Telecommunicator Cardiopulmonary Resuscitation  
8 (TCPR) that can be delivered by 9-1-1 call takers for  
9 acute events requiring Cardiopulmonary Resuscitation  
10 (CPR), including, but not limited to, out-of-hospital  
11 cardiac events.

12 b. TCPR training shall follow evidence-based, nationally  
13 recognized guidelines for high-quality TCPR which  
14 incorporates recognition protocols for out-of-hospital  
15 cardiac arrest and continuous education;

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

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

20 16. Make recommendations for consolidation upon the request of  
21 public agencies; and

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

1 SECTION 6. AMENDATORY Section 8, Chapter 324, O.S.L.  
2 2016 (63 O.S. Supp. 2019, Section 2868), is amended to read as  
3 follows:

4 Section 2868. A. Public agencies recognized by the Oklahoma 9-  
5 1-1 Management Authority and authorized to receive funds collected  
6 pursuant to the provisions of ~~this act~~ the Oklahoma 9-1-1 Management  
7 Authority Act shall use the funds only for services, equipment and  
8 operations related to 9-1-1 emergency telephone ~~systems~~ service.

9 B. Money remitted to public agencies pursuant to the Oklahoma  
10 9-1-1 Management Authority Act and any money otherwise collected by  
11 any lawful means for purposes of providing 9-1-1 emergency telephone  
12 services shall be deposited in a separate 9-1-1 emergency telephone  
13 service account established by a public agency or its governing body  
14 to carry out the requirements of ~~this act~~ the Oklahoma 9-1-1  
15 Management Authority Act. Monies remaining in such accounts at the  
16 end of a fiscal year shall carry over to subsequent years. The  
17 monies deposited in the Oklahoma 9-1-1 Management Authority  
18 Revolving Fund shall at no time be monies of the state and shall not  
19 become part of the general budget of the Office of Emergency  
20 Management or any other state agency. Except as otherwise  
21 authorized by ~~this act~~ the Oklahoma 9-1-1 Management Authority Act,  
22 no monies from the Oklahoma 9-1-1 Management Authority Revolving  
23 Fund shall be transferred for any purpose to any other state agency  
24 or any account of the Office of Emergency Management or be used for

1 the purpose of contracting with any other state agency or  
2 reimbursing any other state agency for any expense. Payments from  
3 the Oklahoma 9-1-1 Management Authority Revolving Fund shall not  
4 become or be construed to be any obligation of the state. No claims  
5 for reimbursement from the Oklahoma 9-1-1 Management Authority  
6 Revolving Fund shall be paid with state monies.

7 C. If the Oklahoma 9-1-1 Management Authority determines that  
8 the public agency has failed to deploy Phase II service or has  
9 failed to deliver service consistent with National Emergency Number  
10 Association (NENA) standards, the public agency shall submit an  
11 improvement plan within the time prescribed by the Authority. The  
12 Authority may order the Oklahoma Tax Commission to escrow fees  
13 attributable to public agencies which have not submitted plans or  
14 complied with improvement plans.

15 D. A public agency shall be required to have conducted  
16 separately or as a part of the annual audit required by law of the  
17 municipality or county an annual audit of any accounts established  
18 or used for the operation of a 9-1-1 emergency telephone system.  
19 The audit may be conducted by the State Auditor and Inspector at the  
20 discretion of the public agency. The cost of the audit of the 9-1-1  
21 emergency telephone system may be paid from and be considered a part  
22 of the operating expenses of the 9-1-1 emergency telephone system.  
23 Proprietary information of the wireless service providers shall be  
24 confidential. Audit information pertaining to revenue collected or

1 disbursed may be released only in aggregate form so that no  
2 provider-specific information may be extrapolated.

3 E. Public agencies shall be required to annually submit to the  
4 Authority:

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

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

12 F. The Authority shall have the power to review, approve,  
13 submit for further information or deny approval of the annual report  
14 of each public agency required pursuant to subsection E of this  
15 section. Failure by a public agency to submit the report annually  
16 or denial of a report may cause the Authority to order the Tax  
17 Commission to escrow the 9-1-1 emergency telephone fees due to the  
18 public agency until the public agency complies with the requirements  
19 of the Oklahoma 9-1-1 Management Authority Act and the procedures  
20 established by the Authority.

21 G. The governing body of the public agency shall meet at least  
22 quarterly to oversee the operations of the 9-1-1 emergency telephone  
23 system, review expenditures and annually set and approve an  
24

1 operating budget, and take any other action as necessary for the  
2 operation and management of the system.

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

5 SECTION 7. REPEALER 63 O.S. 2011, Section 2818.4, is  
6 hereby repealed.

7 SECTION 8. REPEALER 63 O.S. 2011, Section 2820, is  
8 hereby repealed.

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

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11 58-1-5968 JBH 12/08/20

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