

Oklahoma

9-1-1

Management Authority

SPECIAL MEETING

FEB. 23, 2023 at 3:00PM

OK CAPITOL, ROOM 4S.9

OKLAHOMA 9-1-1 MANAGEMENT AUTHORITY
Special Meeting Agenda
Thursday, February 23, 2023, at 3:00 PM

Oklahoma Capitol Building
2300 N. Lincoln Blvd.
Room 4S.9
Oklahoma City, OK 73105

1. Order
2. Roll call
3. Public Comments. (Comments are to be limited to items under the purview of the Oklahoma 9-1-1 Management Authority. Each speaker shall be limited to five minutes. Under Oklahoma Open Meeting laws, the 9-1-1 Management Authority cannot respond to or discuss any public comment, not on today's agenda)
4. Discussion and possible action to provide guidance to the 9-1-1 Coordinator regarding the 2023 legislative session, including, but not limited to, prioritizing the bills introduced by the Legislature that affect the 9-1-1 Management Authority (HB1590 and HB1924).
5. Update from the State 9-1-1 Coordinator
 - a. HB1897- Cantrell
5. Chairman's Comments. (Discussion Only)
7. Adjournment

NOTE: The Authority may, at its discretion, discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or choose not to take up any item on the agenda.

OKLAHOMA 9-1-1 MANAGEMENT AUTHORITY
Special Meeting Minutes
Thursday, February 23, 2023, at 3:00 PM

1. Order

Ms. Mcghie called the meeting to order at 3:00 PM.

2. Roll call

The following members were present at the time the roll was called; a quorum was met with thirteen in attendance.

Belinda McGhie
Brent Hawkinson
Christina Brown
Darryl Maggard
Greg Fisher
Joshua Swenson
Justin Carnagey
Mark Sharpton
Mary Harris
Matt Stillwell
Rob Stolz
Shaun Barnett
Vicki Atchley

3. Ms. Mcghie welcomed the guest in attendance, and new Authority Authority member Mr. Mark Sharpton, who was appointed to the Authority representing the Association of County Commissioners. Mr. Sharpton is the Logan County Commissioner for district one.

4. Public Comments. (Comments are to be limited to items under the purview of the Oklahoma 9-1-1 Management Authority. Each speaker shall be limited to five minutes. Under Oklahoma Open Meeting laws, the 9-1-1 Management Authority cannot respond to or discuss any public comment, not on today's agenda)

Public comments were moved to the start of the meeting to allow for the American Heart Association to speak.

Ms. McGhie yielded to Ms. Alyssa Northcutt, who signed up to speak.

Ms. Northcutt introduced herself, stating she was at the meeting on behalf of the American Heart Association (AHA) and in support of both bills being presented. Ms. Northcutt stated AHA believes and supports Telecommunicator CPR (T-CPR) language within the bills, which is vital to saving lives, and is looking forward to seeing the bill throughout the entirety of session.

5. Discussion and possible action to guide the 9-1-1 Coordinator regarding the 2023 legislative session, including, but not limited to, prioritizing the bills introduced by the Legislature that affect the 9-1-1 Management Authority (HB1590 and HB1924).

Ms. McGhie yielded to Mr. Terry.

Mr. Terry reminded the Authority, at the January meeting three bills were presented, with the recommendation to submit all three bills to the authors to move forward through the legislative cycle, which was complete.

Mr. Terry stated the focus of the special meeting was to discuss the two bills listed on the agenda action item. This body would recommend the running of both of these bills, with options provided to the House membership to determine which option would be there. It was understood many discussions and debates regarding these two bills, but it was important to provide options- the way business is done currently, versus a single fee structure that was presented with HB 1590.

Within the House Committees, there has been much discussion going through the process of the legislative cycle, between the House members and how it relates to committee assignments and which bill needs to be sent to the House Floor to be voted on. Mr. Terry explained that through this process, he has been approached by several members of the House asking him to make a decision regarding which bill to push through and what his opinion is on the best bill to send to the floor.

Mr. Terry explained it is the decision of this body to determine which of these two bills to support. Reminding the Authority Mr. Terry stated House Bill 1590 and House Bill 1924 contain similar language; however, House Bill 1590 outlines the single fee structure for all 9-1-1 PSAPs in the state of Oklahoma. The single fee structure will set the fee at \$1.25 and be delivered to the Oklahoma Tax Commission, distributed upon a \$3,000 flat fee per month to each PSAP with ten percent based upon landmass and ninety percent based on the population. This is referred to as a single fee.

The second fee structure, is the two-fee structure written in House Bill 1924 authored by Rep. Sims. This bill will keep the two-fee structure in place, which would retain the landline fee at three percent to fifteen percent, assessed at the local, municipal, or county vote of the people. This is the current structure however, the bill would raise the wireless, voice internet protocol (VoIP), and prepaid from \$0.75 to \$1.25 from which those fees, \$0.25 will be earmarked in the Oklahoma revolving fund to pay for NG9-1-1, Authority office staff, and provide grant funding to help pay for the states NG9-1-1.

Mr. Terry stated both bills have similar language in place, and both bills use the same exact distribution model- a \$3,000 flat fee, ten percent from the landmass, and ninety percent from the population. Similar language, but very unique language as it relates to the fee structure; which each affects areas differently. Therefore, this meeting is to determine the choice of the Authority.

The Bill authored by Rep. Grego, HB 1590 was heard Monday, Feb. 20th in the House Appropriations and Budget Committee, and passed six to four. Rep. Grego was in attendance at the special meeting, and Mr. Terry noted his fine job presenting that bill to the Committee. Mr. Terry commented that Rep. Grego has a broader knowledge of 9-1-1 than he previously thought, and thanked him for his work on our behalf.

Rep. Sims presented HB 1924 to the House Rural Development Committee, which passed seven to one. Mr. Terry explained that vote does not have significant meaning as House Committees have two different purposes; the House Appropriations and Budget Committee reviews the appropriation budget and fiscal impact and the House Rural Development Committee is reviewing rural areas. When looking at the committee and committee votes, don't assume the votes provide more support for one

bill over the other. The bills both made it to committees and are ready for the Floor. The Authority needs to make a decision, but Mr. Terry stated he fears House Floor Leader may not hear either bill if the Authority doesn't

Mr. Terry explained that from the discussions he's had, the concern is if a decision is not made on which bill to push through, other leadership may do that for the Authority. Mr. Terry opened the floor for debate and for each member to potentially speak on these bills, and what their preference is. The outcome is a motion, a second, and a vote to support one of these bills. If there is a motion and a second and the vote fails, without a simple majority, then we will pause and call for another motion to move forward.

Mr. Terry called for questions related to the process, where we're at, or what is needed.

Mr. Stillwell stated at the January meeting Mr. Terry presented rough dollar comparisons, if the single fee structure is accepted and pushed through, Mr. Stillwell stated his perception and what he understood from Mr. Terry's explanation, was with this structure, the impact would be minimal in the long run, and asked if this had changed.

Mr. Terry responded that it has not changed. There is only a two million dollar difference per year, which works out to fourteen million dollars on the single fee structure; versus sixteen million dollars on the two fee structure. The amount under a two-fee structure is short-lived due to landlines being shut off or turning to VoIP. Customers are supposed to know this due to the FCC rules, but sometimes they don't. When they move over it is moving traditional landlines to \$0.68 net going back out to the PSAP based on population directly to the PSAP. When that funding goes to the state, it's divided by population.

Mr. Stillwell stated his position. First Mr. Stillwell thanked the Representatives and elected officials for their recognition of the need, particularly the need to move into the future by getting ahead of the curve when it comes to the delivery of 9-1-1 and the work done to bring this document to the table.

Mr. Stillwell continued, stating In his experience he has looked at processes while working to make obstacles as simple as possible. Mr. Stillwell stated he felt the simplest was the single fee structure; simply from a process standpoint. As a PSAP manager, the two-fee structure includes more work each year to have both of those fees come together, Reducing those fees to one, is less work and explaining to leadership. When you look at the impact this would have on a PSAP the size of Edmond, multiply that by all the PSAPs in the country, and the work done at the state level, the county level, and the municipal level- the reduction of the amount of work that's necessary for this to happen.

Mr. Stillwell stated his support for the single fee; however, if there was opposition to the dynamics of either one he then recommended going the route of least resistance. He asked if there was data or a way to review the information that would provide a recommendation for the likelihood of success of one over the other.

Ms. McGhie called for the next comment or discussion.

Mr. Hawkinson stated he received a call from ACOG's rural fire and 9-1-1 Coordinator prior to the meeting, who was able to attend this 9-1-1 Day at the Capitol, prior to the meeting and spoke with many of his counterparts and specifically regarding these two bills. By the representation of those he spoke with and what was heard in the rural communities within the ACOG region- he heard that HB 1924 would be less intrusive due to its gradual decline in funding. It allows for progression towards the

very similar HB 1590, but less immediate. Mr. Hawkinson stated it may be less of an impact on the rural PSAPs.

Ms. McGhie called for further questions or comments.

Mr. Barnett stated he speaks from a couple of different perspectives, one from rural northwest Oklahoma. During the study of both bills, Mr. Barnett stated he would support a single fee. He stated the impact would not be as big of an impact for his area. He confirmed the decline of landlines, but the revenue would still be included in the one-fee collection, even with the state keeping a small portion. Mr. Barnett stated the areas and those he has spoken to, are seeing an increase in dollars.

Mr. Barnett explained that he gets to spend more time at the Capitol with legislators, and has been able to speak with several of them about the bills, the takeaway being HB1590 provides a better picture and gives more oversight; all funds would be going through the Tax Commission and not collected locally. When the locals collect their funding, there's still no true oversight, and it's possible to spend funds on something other than operations and equipment.

If we start leaning towards restricting how the funds are to be used in the future, which there have been discussions about, putting a percentage of the fees to be used for equipment over operations-looking down the road, HB 1590 would allow that ability, as one-hundred percent of funds are being collected at one source and redistributed at an equal portion.

Mr. Barrett stated through his conversations he has found support for and stated he felt the bill would have support on the floor would be the single fee structure.

Regarding rural Oklahoma, there will be different support and different support around the state as every part is different when discussing rural centers within the state. After reviewing the numbers and spreadsheets, there's an impact both ways. Either bill is going to impact certain centers differently from the other centers. Mr. Barnett stated from what he is seeing the lesser impact is the one fee structure.

Ms. McGhie called for additional comments.

Ms. Harris stated she agreed with Mr. Barnett and supports both of the bills, as this will further 9-1-1 in Oklahoma. She stated she sees the bills a little differently and that the two-fee structure bill would be a smoother transition. In the scenario, she stated she represents eight rural counties and having the landline money come directly until it naturally dies off. There will be a very slow gradual decline and Ms. Harris stated it would be more advantageous to have the switch flipped and everything we decided primarily by population, which is never an advantage. Ms. Harris agreed they will get an increase which will be where it can be sustained. No matter which bill but the two-fee structure would be a smoother transition in our budget process and moving forward would give us just a little bit of extra money that we won't have in the one-fee structure, which would get us through until the state gets their network online and some costs balance out. Ms. Harris stated she supports the two-fee structure.

Ms. McGhie called for additional comments.

Mr. Stolz asked if the numbers that Mr. Terry ran represented the smaller counties, or if you have examples using Cimarron County or smaller counties without service currently, what they would see comparatively using the single fee or the two fee structure.

Mr. Terry explained he has run the numbers and holds a spreadsheet with the calculated impacts for each PSAP and what the estimate-only projections are, which he stated he did not want to want to make those public. The raw numbers show there are currently thirteen counties currently under \$60,000 in wireless revenue, and the two-fee structure provides 12 of them with more funding, and one PSAP gets more funding with one fee.

Reviewing the population between 10,000 and 50,000 within the PSAP boundaries fifty-six get more funding with two fees, and sixty get more funding with a single fee. Looking at a population over 50,000, five get more funding with two fees and one gets more money with a single fee.

Therefore, fifty-five percent of our PSAPs receive more funding with a two-fee structure and forty-five percent receive more funding with a single-fee structure.

Mr. Terry stated he can provide general information on certain counties if there's interest, but when looking at the totality of it, the distribution model was what makes the difference for the smaller counties. For those counties that have one PSAP per county in a very large county like Beaver, Texas, Osage, etc. the ten percent is not a large amount of money; however, it makes a large impact for these rural areas.

Mr. Terry stated that is the big change; both bills help to fund those small counties. What's being discussed is a small percentage of the difference, but it does make a difference, especially when you're in western Oklahoma. When you have eight counties and you put that total one number together, it's a six-figure difference, which is a big difference for those areas. If you review the total percentage of total income, it's not a very big percentage across the Authority.

Mr. Stolz replied saying the landline fees per county in most places might be charged less in larger counties. He stated his concern is the immediate impact, but also the impact over time. Mr. Stolz asked which structure helps smaller agencies or smaller PSAPs over time.

Mr. Terry explained migration will happen over the next three to five years to move all landlines into VoIP; which will be a single fee structure at that point. At this point, the important thing is what has already been stated; oversight, etc. with a single fee certainly helps. Although, there have been valid points made as it relates to the sudden impact and what that potentially could do.

Mr. Stolz asked if he had the numbers on how many counties would have seen an immediate increase in their landline fee, which are currently below \$1.25.

Mr. Terry asked for clarification.

Mr. Stolz used Cimarron County, as an example, asking where their landline fee is right currently. Would the fee go from \$0.50 to \$1.25, that would be very big.

Mr. Terry replied that when looking at averages across the state if the PSAP is at three percent, that is about \$0.40 for a landline depending on when the vote took place. The old language is when you pass your vote at the local level three percent to fifteen percent depending on what the tariff rate was at the time and that is set forever. The fee doesn't change with rate changes, but every county is different. There is a thirty-year gap in local elections for landlines. Looking at the average about \$0.40 is returned for three percent, and about \$1.75 is returned for fifteen percent. Meaning if there is a landline, under the fifteen percent rate a \$1.65 to \$1.75 which will decrease to \$1.25. Then redistributed based on \$3,000 landmass and population.

Mr. Terry stated this is where the difference begins- if the PSAP is in a three percent area, that \$0.40 will be \$1.25. However, that \$1.25 does not go back to the PSAP, the law currently is \$0.75 with a net of about \$0.68 on average to the PSAPs today. This bill will net \$0.99 back to the PSAP based on population. Mr. Terry stated that is how the increase in revenue is provided at the local level.

Mr. Terry referenced Nowata County, after running their landline fee two years ago had a base telephone of \$40 at fifteen percent; which brings them around \$5.00 on their landline revenue.

Mr. Terry explained there has been a considerable review of algorithms to determine that a distribution model is used to ensure no one lost money. There is no loss of money, but an increase in revenue of twelve percent or more, and why the numbers are twelve percent or more in either one of the bills; which puts some getting eighty-five percent or more.

Mr. Terry referred back to Mr. Stolz's question about Cimarron County, which he stated brings in roughly \$27,000 currently and will be receiving around \$120,000; putting them in a better position to deploy 9-1-1, which they don't have today with either bill.

Mr. Terry paused for questions.

Mr. Maggard stated he fears the two-fee structure will push the fees out further and be lost within the budget forcing the locals to come to the Authority in two or three years with a loss of landline revenue.

Mr. Maggard stated he felt, having been in the position to write a budget, no matter how much we prepare money will be lost. The fear of from \$60,000 a month coming from landline to \$20,000 a month with all the cuts possible that have been made it's not stable. Mr. Maggard stated he felt this action stabilizes the budget.

Mr. Barnett directed a question to Mr. Terry when it was looked at, how to make this work statewide, annually, both bills collect enough money reserved back into the fund. However, the single fee bill showed a couple of million dollars more which is being held back for the state over some time.

Mr. Barnett asked how far out the projections show \$12 to \$13 million covering those costs annually; and how long will this be sustainable with those dollars that we wouldn't have to come back in three years, five years, or cost \$15 million to sustain our state.

Mr. Terry responded to Mr. Barnett, explaining \$8 million is the projected cost for NG9-1-1 and has many factors behind that redundancy to each PSAP and the future consolidation of where they will be and how the connection to each will be. This action is two to five years out, two sufficient for five years, with a hope to continue for eight years. These projections come with the idea of not having to make any serious changes. This also includes an understanding that grant funds will be taken from those costs. Mr. Terry stated he believed the state to be in good shape moving forward, and he is comfortable with where we're at.

Mr. Terry stated he felt Mr. Barnett brought up a valid point, this being what he felt Rep. Grego could articulate. After meeting with Mr. Barnett the day before the meeting to review the numbers and the current location of the state.

The single fee brings the state portion \$14.1 million, with the local appropriation for a single fee being \$14.6 million. The two-fee structure brings \$12.3 million to the state, and \$16.5 million to the locals.

The injection of additional money into rural areas is what makes the difference.

Mr. Terry suggested altering the bill language of the single fee to \$0.22 instead of \$0.25- what this does is equalize the two-fee structure, putting \$12.4 million into the state's revolving fund to pay for NG9-1-1; and \$16.3 million to the locals distributed in the same manner. Inequality will still be a factor, but it will inject an additional \$2 million into the locals.

Mr. Terry explained in the state, there would be \$2 million less and would still be stable and will remain stable for time to come.

Mr. Terry stated he has not run the numbers to show the impact for each PSAP, but he did look at some key PSAPs and those show it is very close to where a two-fee structure would be represented. Potentially, both issues could be corrected with this change. We're heading to the floor. The bill's author, Rep. Grego, who was in the meeting would need to make changes to the language, lowering \$0.25 to \$0.22 under the single fee structure. When this goes into effect it will.

Mr. Terry stated this is a suggestion, brought up by Mr. Barnett as a question and how would the numbers look in this model.

Mr. Barnett commented on the suggested change, he stated he understood where the questions were coming from. It does put more dollars into those eight counties that Ms. Harris is contracted with, which more closely resembles the two-fee structure.

Mr. Barnett explained he felt the one-fee structure will get to the floor, and get the vote with the easiest and probably the less pushback. Mr. Barnett requested Rep. Grego make the change to allow for more money to the locals; as long as we can still sustain that five to eight-year window, previously discussed gives more options.

Mr. Sharpton asked what the bill number was and which streamlines the process in the best amount of time.

Mr. Terry stated HB1590 is the bill number for the one-fee structure.

Mr. Sharpton asked if either bill removes the power of the people to vote, and which is going to have a negative effect on them.

Ms. Harris stated both bills remove the people's vote for landline percentage.

Ms. Atchley explained there will be a gain with the \$1.25, with more accountability.

Ms. Harris asked for an explanation of how the projections with the single fee were calculated.

Mr. Terry explained he received a total of 869,000 landline subscribers in their database from AT&T, which was difficult and not easily requested. The 869,000 lines include more than just currently in-use lines, telephone numbers in that database that are no longer in existence- both rural and metro. To account for that Mr. Terry stated he lowered the number of lines to 600,000, while also running data for the provided 869,000. The 600,000 more closely resembles a real estimation and ran 600,000 to see if this would impact negatively. Mr. Terry stated he did not look at the numbers and the amount that would be received- but made sure no one was negatively impacted.

Ms. Harris explained she ran the numbers against her database and how many records are in it, which comes from a rural area, with little to no cell towers out there. Ms. Harris said she had over 1500 records that were PANIs, and other lines that are not actual landlines, as Mr. Terry stated.

Ms. Harris explained she had a little bit of a burn, knowing the projections are not going to be more natural and the natural process of money declining was more appealing to me. Even though we hope we know what's gonna happen, we're not sure what's fair

Mr. Stillwell directed a question at Ms. Harris, for clarification on your original statement. Knowing her situation and Mr. Stillwell stating he does not know her situation but based on Mrs. Atchley's comments. If the Authority went with HB1590, would the impact of Ms. Harris' landlines being changed cause there not to be enough funding to put you in a position to receive less money than you're receiving today?

Ms. Harris stated and agreed these bills are both an increase, or she couldn't support both. She explained the landlines for her PSAPs are around \$1.50 to \$1.70. This makes looking at direct revenue, it's a big shock. With there still being considerable landlines in very rural areas, some people don't have cell service in rural areas. They hold on to landlines even though they may be VoIP, they're still being treated like landlines.

Ms. McGhie called for additional comments.

A question was raised, with Congress adding complexities is there a teepee structure on how they charge your customers which may have to change, or will it change how they receive the fee?

Ms. Harris explained it won't change the fee, but how they remit the changes now with landline which is the old method; checks are written to each different agency for the jurisdiction that they cover and wireless is remitted to the state. If we go with one fee, it will change where they have one to the state from the various companies - some landlines, some wireless.

Mr. Terry added to Ms. Harris' comment, this will streamline the process from local providers, with one check instead of multiple checks and multiple fee percentages. Some accounting will have to happen. This is a single fee to the state, which is captured at the state level that reports against each remittance. The Authority office is currently working with the Tax Commission to improve those reports. Mr. Terry stated he has had conversations with the Tax Commission regarding lowering their fee from one percent to 0.8%, which have agreed to. They value the partnership and have been willing to help work with any reporting we need.

Ms. McGhie called for a motion and further questions.

Ms. Harris commented she would like to see the projection numbers, understanding they can not be produced right now, and asked Mr. Terry if he was confident in this change

Mr. Terry stated he was confident that the amount of money coming to the state will be within \$100,000, from both bills. The distribution will change, but he stated he is confident in \$12 million plus for the state and \$16 million plus the locals.

Instead of \$14 million and \$14 million or \$12 million and \$16 million, Mr. Terry stated he was confident and was validated by reviewing other regional systems in the state, which helps level out the difference between the two bills.

Mr. Terry stated he has crunched all the numbers, but did not have a chance to look at everything, however, he was confident in \$14 million to \$14 million is what the single bill is as written with \$0.25; and \$12 million to \$16 million is what the single fee is at \$0.22 does.

Hearing none, a motion was to recommend House Bill 1590 as the recommendation of the Oklahoma 9-1-1 Management Authority, with the recommendation to modify the discussed \$0.25 recommendation to \$0.22 made by Mr. Stilwell; a second with Mr. Barnett. The motion passed with thirteen ayes and zero nays.

6. Update from the State 9-1-1 Coordinator on House Bill 1987 authored by Rep. Josh Cantrell.

Mr. Terry expressed his appreciation to the Authorities during the work to change 9-1-1 in the state of Oklahoma. House Bill 1987, which is the consolidation bill has passed through committee. This bill was listed on the agenda for the January Authority meeting, however, the language was not complete and it was tabled. The language is within the meeting packet today for your review. This bill will be combining definitions and eliminate duplications. It has passed the committee and will be heard on the House floor for a vote.

The work is lining up for success, the next step is establishing Senate authors for the bills. There have been some questions as to which bill should be pushed through, this meeting is to determine how to move forward with the Senate.

Mr. Terry thanked the Authority for the support and for allowing him to walk the Capitol halls to speak about and share his passion for 9-1-1.

Mr. Terry called for questions.

Rep. Grego expressed his appreciation for 9-1-1 and the work that is done as he is from a rural community and has exposed some issues with 9-1-1 in the past. Rep. Grego stated how he is thankful for and grateful to be working with the Authority.

Mr. Terry stated while working on gathering this information and the numbers, he has been able to work with most of the Authority and he appreciates everyone who added their heart and soul to this work.

Point of order, Ms. Brown left the meeting at 3:47 pm.

7. Chairman's Comments. (Discussion Only)

Ms. McGhie thanked Representative Jim Grego for authoring House Bill 1590 as well as Representative Sims for authoring House Bill 1924 and Representative Cantrell for authoring House Bill 1897.

The Vice-Chair thanked Mr. Terry, Ms. Root, and Ms. Douglas; as well as the Authority for the work behind the scenes and for actively participating in this work. The bills and work being done now will be the reason next-gen 9-1-1 is seen in the future.

8. Adjournment

The meeting was adjourned at 4:05 pm

NOTE: The Authority may, at its discretion, discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or choose not to take up any item on the agenda.

The minutes of the special meeting dated February 23rd, 2023, of the Oklahoma 9-1-1 Management Authority, have been reviewed and approved on this day, the 29th of March 2023.

A handwritten signature in cursive script that reads "Belinda McGhie". The signature is written in black ink and is positioned above a solid horizontal line.

Belinda McGhie
Authority Vice-Chair

HB1590

Rep. Jim Grego

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1590 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Jim Grego _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1590

By: Grego

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to public safety; requiring Oklahoma
9 9-1-1 Management Authority to maintain certain
10 training platform; requiring creation, maintenance
11 and certification of certain list; stating certain
12 training requirements; requiring establishment of
13 certain hourly training requirements; requiring
14 completion of certain training by certain date;
15 requiring training follow certain guidelines;
16 amending 63 O.S. 2021, Section 2803, which relates to
17 establishment of basic or sophisticated system;
18 removing certain compatibility stipulation; amending
19 63 O.S. 2021, Section 2846, which relates to
20 mandatory provision of emergency telephone service;
21 requiring service company provide certain data
22 elements; amending 63 O.S. 2021, Section 2862, as
23 amended by Section 6, Chapter 30, O.S.L. 2022 (63
24 O.S. Supp. 2022, Section 2862), which relates to
definitions; defining term; amending 63 O.S. 2021,
Section 2863, which relations to the creation of the
Oklahoma 9-1-1 Management Authority; modifying
membership of the Authority; adding certain non-
voting members; excluding non-voting members from
quorum requirements; excluding non-voting members
from executive sessions; providing selection
requirements for non-voting members; deleting chair
designation requirement; allowing for certain
reimbursement; removing certain legal support
requirement; amending 63 O.S. 2021, Section 2864, as
amended by Section 7, Chapter 30, O.S.L. 2022 (63
O.S. Supp. 2022, Section 2864), which relates to
powers and duties; modifying certain powers and
duties; requiring certain submission to Oklahoma Tax
Commission; detailing the distribution of certain

1 revenue from collected fees; allowing establishment
2 of certain contracts; amending 63 O.S. 2021, Section
3 2865, which relates to fees; modifying certain fees
4 collected; including fees for certain types of
5 phones; removing prohibition on fee collection for
6 certain phones; modifying certain deposit amount;
7 amending 63 O.S. 2021, Sections 2866 and 2867, which
8 relate to collection and apportionment of fees;
9 modifying retention percentage of certain fees;
10 amending 63 O.S. 2021, Section 2868, which relates to
11 use and oversight of funds; allowing the transfer of
12 certain monies; requiring certain designee of public
13 agency to have certain meeting; amending 63 O.S.
14 2021, Section 2871, which relates to the Regional
15 Emergency Nine-One-One Services Act; disallowing
16 establishment of new public safety answering point
17 after certain date; providing certain exceptions;
18 repealing 63 O.S. 2021, Sections 2814 and 2815, which
19 relate to additional powers and duties of governing
20 bodies and fee collection; providing for
21 codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2872 of Title 63, unless there
is created a duplication in numbering, reads as follows:

A. The Oklahoma 9-1-1 Management Authority shall maintain an
online training platform for 911 Emergency Telecommunicators in the
State of Oklahoma.

B. The Oklahoma 9-1-1 Management Authority shall create,
maintain and certify a list of qualified online and in-person
training programs that include the basic requirements for a 9-1-1

1 emergency telecommunicator. Classes shall be a minimum of forty
2 (40) hours in length and include instruction for basic call handling
3 and dispatch services. The Oklahoma 9-1-1 Management Authority
4 shall establish hourly training requirements on a yearly basis.

5 C. On or before July 1, 2024, all emergency telecommunicators
6 in the State of Oklahoma shall complete, either in-person or
7 virtually, a forty-hour state-recognized training course for basic
8 call handling and dispatch services.

9 D. Any new emergency telecommunicator hired after January 1,
10 2024, shall complete, either in-person or virtually, a forty-hour
11 state-recognized training course for basic call handling and
12 dispatch services within six (6) months of his or her hire date.

13 E. On or before July 1, 2024, all emergency telecommunicators
14 in the State of Oklahoma shall complete, either in-person or
15 virtually, a state- or nationally-recognized telecommunicator CPR
16 training course. Telecommunicator CPR training shall follow
17 evidence-based, nationally recognized guidelines for high-quality
18 telecommunicator CPR which incorporates recognition protocols for
19 out-of-hospital cardiac events.

20 SECTION 2. AMENDATORY 63 O.S. 2021, Section 2803, is
21 amended to read as follows:

22 Section 2803. Every public agency or public safety agency
23 within its respective jurisdiction may establish a basic or
24 sophisticated system, ~~if technologically compatible~~ with the

1 existing local telephone network. The establishment of such systems
2 shall be centralized where feasible. Any system established
3 pursuant to this act may include a segment of the territory of a
4 public agency. All systems shall be designed to meet the
5 requirements of each community and public agency served by the
6 system. Every system, whether basic or sophisticated, may be
7 designed to have the capability of utilizing at least three of the
8 four methods specified in paragraphs 3, 8, 9 and 11 of Section 2
9 2802 of this ~~act~~ title, in response to emergency calls. In addition
10 to the number "911", a public agency or public safety agency may
11 maintain a separate secondary backup number, and shall maintain a
12 separate number for nonemergency telephone calls.

13 SECTION 3. AMENDATORY 63 O.S. 2021, Section 2846, is
14 amended to read as follows:

15 Section 2846. A. All local exchange companies, and wireless
16 and other telephone service companies providing service to users in
17 an area in which nine-one-one emergency telephone service is
18 currently operating shall also provide emergency telephone service
19 to all subscribing service users in that area. Wireless and other
20 telephone service companies shall provide information necessary for
21 automatic number identification, automatic location identification
22 and selective routing of nine-one-one emergency wireless calls to
23 cities and counties answering emergency telephone calls for
24 maintenance of existing nine-one-one databases. If the state or an

1 area of the state is utilizing Next Generation 9-1-1 system that
2 uses the National Emergency Number Association (NENA) i3 Standard
3 for call delivery then the service company shall provide the data
4 elements required by said standard. The governing body may
5 reasonably require sufficient information to ensure compliance with
6 this section and to provide data for audit and budgetary calculation
7 purposes.

8 B. Information that a wireless service provider is required to
9 furnish in providing nine-one-one service is confidential and exempt
10 from disclosure. The wireless service provider is not liable to any
11 person who uses a nine-one-one service created under this act for
12 the release of information furnished by the wireless service
13 provider in providing nine-one-one service. Information that is
14 confidential under this section may be released only for budgetary
15 calculation purposes and only in aggregate form so that no provider-
16 specific information may be extrapolated.

17 SECTION 4. AMENDATORY 63 O.S. 2021, Section 2862, as
18 amended by Section 6, Chapter 30, O.S.L. 2022 (63 O.S. Supp. 2022,
19 Section 2862), is amended to read as follows:

20 Section 2862. As used in the Oklahoma 9-1-1 Management
21 Authority Act:

22 1. "Authority" means the Oklahoma 9-1-1 Management Authority
23 created in Section 2863 of this title;

24

1 2. "Governing body" means the board of county commissioners of
2 a county, the city council, tribal authority or other governing body
3 of a municipality, or a combination of such boards, councils or
4 other municipal governing bodies including county or municipal
5 beneficiary public trusts, or other public trusts which shall have
6 an administering board. A governing body made up of two or more
7 governmental entities shall have a board consisting of not less than
8 three members and shall consist of at least one member representing
9 each governmental entity, appointed by the governing body of each
10 participating governmental entity, as set forth in the agreement
11 forming the board. The members of the board shall serve for terms
12 of not more than three (3) years as set forth in the agreement.
13 Members may be appointed to serve more than one term. The names of
14 the members of the governing body board and the appointing authority
15 of each member shall be maintained in the office of the county clerk
16 in the county or counties in which the system operates, along with
17 copies of the agreement forming the board and any amendments to that
18 agreement;

19 3. "Next-generation 9-1-1" or "NG9-1-1" means an:

20 a. IP-based system comprised of hardware, software, data,
21 and operational policies and procedures that:

22 (1) provides standardized interfaces from emergency
23 call and message services to support emergency
24 communications,

- 1 (2) processes all types of emergency calls, including
- 2 voice, text, data and multimedia information,
- 3 (3) acquires and integrates additional emergency call
- 4 data useful to call routing and handling,
- 5 (4) delivers the emergency calls, messages and data
- 6 to the appropriate public safety answering point
- 7 and other appropriate emergency entities,
- 8 (5) supports data or video communications needs for
- 9 coordinated incident response and management, and
- 10 (6) provides broadband service to public safety
- 11 answering points or other first responder
- 12 entities, or

- 13 b. IP-based system comprised of hardware, software, data
- 14 and operational policies and procedures that conforms
- 15 with subsequent amendments made to the definition of
- 16 Next Generation 9-1-1 services in Public Law 112-96;

17 4. "9-1-1 emergency telephone service" means any telephone
18 system whereby telephone subscribers may utilize a three-digit
19 number (9-1-1) for reporting an emergency to the appropriate public
20 agency providing law enforcement, fire, medical or other emergency
21 services, including ancillary communications systems and personnel
22 necessary to pass the reported emergency to the appropriate
23 emergency service and which the wireless service provider is

1 required to provide pursuant to the Federal Communications
2 Commission Order 94-102 (961 Federal Register 40348);

3 5. "9-1-1 wireless telephone fee" means the fee imposed in
4 Section 2865 of this title to finance the installation and operation
5 of emergency 9-1-1 services and any necessary equipment;

6 6. "Place of primary use" means the street address
7 representative of where the use of the mobile telecommunications
8 service of the customer primarily occurs, which shall be the
9 residential street address or the primary business street address of
10 the customer and shall be within the licensed service area of the
11 home service provider in accordance with Section 55001 of Title 68
12 of the Oklahoma Statutes and the federal Mobile Telecommunications
13 Sourcing Act, P.L. No. 106-252, codified at 4 U.S.C. 116-126;

14 7. "Prepaid wireless telecommunications service" means a
15 telecommunications wireless service that provides the right to
16 utilize mobile wireless service as well as other telecommunications
17 services including the download of digital products delivered
18 electronically, content and ancillary services, which are paid for
19 in advance and sold in predetermined units or dollars of which the
20 number declines with use in a known amount;

21 8. "Proprietary information" means wireless service provider or
22 VoIP service provider, subscriber, market share, cost and review
23 information;

24

1 9. "Public agency" means any city, town, county, municipal
2 corporation, public district, public trust, substate planning
3 district, public authority or tribal authority located within this
4 state which provides or has authority to provide firefighting, law
5 enforcement, ambulance, emergency medical or other emergency
6 services;

7 10. "Public safety answering point" or "PSAP" means an entity
8 responsible for receiving 9-1-1 calls and processing those calls
9 according to specific operational policy;

10 11. "Public safety telecommunicator" means a person who
11 performs a public service by processing, analyzing, and dispatching
12 calls for emergency assistance. The person is a first responder
13 that provides pre-arrival instructions and has specialized training
14 to mitigate the loss of life and property;

15 12. "Wireless service provider" means a provider of commercial
16 mobile service under Section 332(d) of the Telecommunications Act of
17 1996, 47 U.S.C., Section 151 et seq., Federal Communications
18 Commission rules, and the Omnibus Budget Reconciliation Act of 1993,
19 Pub. L. No. 103-66, and includes a provider of wireless two-way
20 communication service, radio-telephone communications related to
21 cellular telephone service, network radio access lines or the
22 equivalent, and personal communication service. The term does not
23 include a provider of:

24

- 1 a. a service whose users do not have access to 9-1-1
- 2 service,
- 3 b. a communication channel used only for data
- 4 transmission, or
- 5 c. a wireless roaming service or other nonlocal radio
- 6 access line service;

7 13. "Wireless telecommunications connection" means the ten-
8 digit access number assigned to a customer regardless of whether
9 more than one such number is aggregated for the purpose of billing a
10 service user; ~~and~~

11 14. "Voice over Internet Protocol (VoIP) provider" means a
12 provider of interconnected Voice over Internet Protocol service to
13 end users in the state, including resellers; and

14 15. "Landline telecommunications connection" means a ten-digit
15 access number assigned to a customer that utilizes analog
16 communications over a wired transmission line that travels
17 underground or on telephone poles.

18 SECTION 5. AMENDATORY 63 O.S. 2021, Section 2863, is
19 amended to read as follows:

20 Section 2863. A. There is hereby created the Oklahoma 9-1-1
21 Management Authority which shall be the governing board overseeing
22 the development and regulation of 9-1-1 emergency systems in this
23 state and managing the distribution of all 9-1-1 telephone fees
24

1 collected pursuant to the provisions of Section ~~5~~ 2865 of this ~~act~~
2 title.

3 B. The Authority shall be composed of the following members:

4 1. One member representing a tribal authority that operates a
5 9-1-1 system to be appointed by the President Pro Tempore of the
6 Oklahoma State Senate;

7 2. One member representing a statewide organization dedicated
8 to public safety to be appointed by the President Pro Tempore of the
9 Senate;

10 3. One member representing a statewide organization dedicated
11 to career development for emergency number professionals to be
12 appointed by the Governor;

13 4. One member representing a statewide organization dedicated
14 to representing Oklahoma municipalities to be appointed by the
15 Speaker of the Oklahoma House of Representatives;

16 5. One member representing a statewide organization
17 representing Oklahoma county commissioners to be appointed by the
18 Governor;

19 6. One member representing a statewide association of regional
20 councils of government to be appointed by the President Pro Tempore
21 of the Senate;

22 7. The Chief Information Officer for the state, or designee;

23 8. One member representing a substate planning district to be
24 appointed by the Governor;

1 9. Two members each representing a municipal government
2 operating a 9-1-1 system and having a population of less than one
3 hundred thousand (100,000), one to be appointed by the Speaker of
4 the House of Representatives, and one to be appointed by the
5 Governor;

6 10. One member representing a municipal government operating a
7 9-1-1 system and having a population of more than one hundred
8 thousand (100,000) but less than four hundred fifty thousand
9 (450,000) to be appointed by the Governor;

10 11. One member representing a municipal government operating a
11 9-1-1 system and having a population of more than four hundred fifty
12 thousand (450,000) to be appointed by the Speaker of the House of
13 Representatives;

14 12. One member representing an organization created by an
15 interlocal agreement for the purpose of sharing public safety
16 answering point duties and whose members are municipal governments
17 with a population of less than four hundred fifty thousand (450,000)
18 to be appointed by the Governor;

19 13. One member representing an organization created by an
20 interlocal agreement for the purpose of sharing public safety
21 answering point duties and whose members are municipal governments
22 with a population of more than four hundred fifty thousand (450,000)
23 to be appointed by the President Pro Tempore of the Senate;

24

1 14. One member who is a 9-1-1 ~~Coordinator~~ coordinator for a
2 county with a population of less than twenty thousand (20,000) to be
3 appointed by the Speaker of the House of Representatives;

4 15. One member who is a 9-1-1 ~~Coordinator~~ coordinator for a
5 county with a population of more than twenty thousand (20,000) to be
6 appointed by the President Pro Tempore of the Senate;

7 16. One member who is a 9-1-1 ~~Coordinator~~ coordinator for a
8 county to be appointed by the Governor; and

9 ~~17. One member representing a local exchange telecommunications~~
10 ~~service provider which serves less than fifty thousand (50,000)~~
11 ~~access lines in the state or a telephone cooperative to be appointed~~
12 ~~by the President Pro Tempore of the Senate;~~

13 ~~18. One member representing a local exchange telecommunications~~
14 ~~service provider which serves more than fifty thousand (50,000)~~
15 ~~access lines in the state to be appointed by the Speaker of the~~
16 ~~House of Representatives;~~

17 ~~19. One member representing a Tier I wireless carrier, as~~
18 ~~defined by the Federal Communications Commission, to be appointed by~~
19 ~~the Speaker of the House of Representatives;~~

20 ~~20. One member representing a Tier II wireless carrier, as~~
21 ~~defined by the Federal Communications Commission, to be appointed by~~
22 ~~the Speaker of the House of Representatives;~~

1 ~~21. One member representing a Tier III wireless carrier, as~~
2 ~~defined by the Federal Communications Commission, to be appointed by~~
3 ~~the President Pro Tempore of the Senate;~~

4 ~~22. One member representing the telephone industry to be~~
5 ~~appointed by the President Pro Tempore of the Senate; and~~

6 ~~23. The Oklahoma Secretary of Safety and Security or designee.~~

7 C. There shall be five (5) non-voting 9-1-1 industry members.

8 Nonvoting members are not required for a quorum. Nonvoting members
9 shall not be included in executive sessions. The nonvoting members
10 shall be made up of the following:

11 1. One member representing a local exchange telecommunications
12 service provider which serves less than fifty thousand (50,000)
13 access lines in the state or a telephone cooperative to be appointed
14 by the President Pro Tempore of the Oklahoma State Senate;

15 2. One member representing a local exchange telecommunications
16 service provider which serves more than fifty thousand (50,000)
17 access lines in the state to be appointed by the Speaker of the
18 Oklahoma House of Representatives;

19 3. One member representing a Tier I wireless carrier, as
20 defined by the Federal Communications Commission, to be appointed by
21 the Speaker of the Oklahoma House of Representatives;

22 4. One member representing a Tier III wireless carrier, as
23 defined by the Federal Communications Commission, to be appointed by
24 the President Pro Tempore of the Oklahoma State Senate; and

1 5. One member representing the telephone industry to be
2 appointed by the President Pro Tempore of the Oklahoma State Senate.

3 D. Members shall serve at the pleasure of their appointing
4 authority and vacancies shall be filled by the original appointing
5 authority.

6 ~~D.~~ E. Members shall receive no compensation for serving on the
7 Authority.

8 ~~E. At its first meeting annually the Authority shall designate~~
9 ~~a chair from its members. Meetings shall be held at the call of the~~
10 ~~chair.~~

11 F. The Authority shall be subject to the Oklahoma Open Records
12 Act and the Oklahoma Open Meeting Act.

13 G. The members of the Oklahoma 9-1-1 Management Authority shall
14 be reimbursed for mileage or actual travel expense, whichever is
15 less, to attend regular and special meetings when the travel exceeds
16 50 miles from their home or business, whichever is closer to the
17 meeting location.

18 H. The Oklahoma Department of Emergency Management shall
19 provide ~~legal,~~ administrative, fiscal and staff support for the
20 Authority. Expenses related to the provision of such services may
21 be paid from funds available in the Oklahoma 9-1-1 Management
22 Authority Revolving Fund created in Section ~~9~~ 2869 of this ~~act~~
23 title, upon approval by a majority of the members of the Authority.
24

1 ~~H.~~ I. Members serving on the Statewide Nine-One-One Advisory
2 Board appointed pursuant to Section 2847 of ~~Title 63 of the Oklahoma~~
3 ~~Statutes this title on the effective date of this act~~ November 1,
4 2016, shall continue serving as members of the Oklahoma 9-1-1
5 Management Authority unless replaced by their appointing authority.

6 SECTION 6. AMENDATORY 63 O.S. 2021, Section 2864, as
7 amended by Section 7, Chapter 30, O.S.L. 2022 (63 O.S. Supp. 2022,
8 Section 2864), is amended to read as follows:

9 Section 2864. The powers and duties of the Oklahoma 9-1-1
10 Management Authority created in Section 2863 of this title shall be
11 to:

12 1. Approve or disapprove the selection of the Oklahoma 9-1-1
13 Coordinator by majority vote of the members. The Authority shall
14 direct the Oklahoma 9-1-1 Coordinator to administer grants approved
15 by the Authority pursuant to this section and perform other duties
16 as it deems necessary to accomplish the requirements of the Oklahoma
17 9-1-1 Management Authority Act;

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

24

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

4 4. Direct the Oklahoma Tax Commission to escrow all or any
5 portion of funds collected pursuant to the Oklahoma 9-1-1 Management
6 Authority Act attributable to a public agency, if the public agency
7 fails to:

- 8 a. submit or comply with master plans to deliver Next
9 Generation 9-1-1 (NG9-1-1) services as required by the
10 Oklahoma 9-1-1 Management Authority Act and approved
11 by the Authority. Local plans must align with the
12 State's Master plan to deploy NG9-1-1,
- 13 b. meet standards of the National Emergency Number
14 Association (NENA) limited to call-taking and caller-
15 location technology or comply with an improvement plan
16 to meet such standards as directed by the Authority,
- 17 c. submit annual reports or audits as required by the
18 Oklahoma 9-1-1 Management Authority Act,
- 19 d. provide connectivity and interoperability between
20 state, regional and local next-generation systems, or
21 e. comply with the requirements of the Oklahoma 9-1-1
22 Management Authority Act or procedures established by
23 the Authority;

1 5. Establish and submit to the Tax Commission a list of
2 eligible governing bodies entitled to receive 9-1-1 telephone fees
3 and establish annual population figures and square miles for the
4 coverage area Public Safety Answering Points (PSAP) for the purpose
5 of distributing fees collected pursuant to Section 2865 of this
6 title. Distribution of the net monthly revenue from 9-1-1 fees
7 after the distributions established in Sections 2865, 2866, and 2867
8 of this title will be provided to eligible governing bodies
9 established by this section as follows:

10 a. a flat rate of Three Thousand Dollars (\$3,000.00) per
11 month per PSAP; and

12 b. from the remaining balance:

13 (1) ten percent (10%) to be derived by dividing the
14 land area covered by the public agency's response
15 area by the total land area of the state; and

16 (2) ninety percent (90%) to be derived by dividing
17 the population of each public agency's response
18 area by the total population of the state using
19 data from the latest available Census estimates
20 as of July 1 of each year;

21 6. Assist any public agency the Authority determines is
22 performing below standards of the NENA, as limited by paragraph 4 of
23 this section, according to the improvement plan required by the
24 Oklahoma 9-1-1 Management Authority Act. The Authority shall

1 establish a time period for the public agency to come into
2 compliance after which the Authority shall escrow funds as
3 authorized in this section. Improvement plans may include
4 consideration and recommendations for consolidation with other
5 public agencies, and sharing equipment and technology with other
6 jurisdictions;

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

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

15 9. Develop a master plan to deploy next-generation 9-1-1
16 services statewide. This will include the development of
17 performance criteria critical to the function and performance of
18 NG9-1-1 networks and systems;

19 10. Establish rules for interoperability between state,
20 regional and local NG9-1-1 systems;

21 11. Facilitate information-sharing among public agencies;

22 12. Create and maintain best practices databases for PSAP
23 operations;

24

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

3 14. Develop training program standards for public safety
4 telecommunicators for call taking.

5 ~~a.~~ Training program standards shall include instruction
6 on recognizing the need for and delivery of High-
7 Quality Telecommunicator CPR (T-CPR) that can be
8 delivered by 9-1-1 public safety telecommunicators for
9 acute events requiring CPR including, but not limited
10 to, out-of-hospital cardiac events (OHCA)-

11 ~~b.~~ ~~T-CPR training shall follow evidence-based, nationally~~
12 ~~recognized guidelines for high-quality T-CPR which~~
13 ~~incorporates recognition protocols for OHCA and~~
14 ~~continuous education;~~

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

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

19 17. Make recommendations for consolidation upon the request of
20 public agencies;

21 18. May establish contracts for the necessary equipment and
22 services to deliver 9-1-1 calls to the Public Safety Answering
23 Points;

24 19. Establish an eligible use list for 9-1-1 funds; and

1 ~~19.~~ 20. Take any steps necessary to carry out the duties
2 required by the Oklahoma 9-1-1 Management Authority Act.

3 SECTION 7. AMENDATORY 63 O.S. 2021, Section 2865, is
4 amended to read as follows:

5 Section 2865. A. Beginning ~~November 1, 2017~~ November 1, 2023,
6 there shall be imposed a 9-1-1 telephone fee as follows:

7 1. ~~Seventy-five cents (\$0.75)~~ One Dollar and twenty-five cents
8 (\$1.25) monthly on each wireless telephone connection and other
9 wireless communication device or service connection with the ability
10 to dial 9-1-1 for emergency calls;

11 2. ~~Seventy-five cents (\$0.75)~~ One Dollar and twenty-five cents
12 (\$1.25) monthly on each service ~~that is enabled by Voice over~~
13 ~~Internet Protocol (VoIP) or Internet Protocol (IP)~~ with the ability
14 to dial 9-1-1 for emergency calls, including landline; and

15 3. ~~Seventy-five cents (\$0.75)~~ One Dollar and twenty-five cents
16 (\$1.25) on each prepaid wireless retail transaction occurring in
17 this state.

18 B. 1. For purposes of paragraph 3 of subsection A of this
19 section, a retail transaction that is effected in person by a
20 consumer at a business location of the seller shall be treated as
21 occurring in this state if that business location is in this state.
22 Any other retail transaction shall be sourced as provided in
23 paragraphs 2 through 5 of this subsection as applicable.

1 2. When the retail transaction does not occur at a business
2 location of the seller, the retail transaction shall be sourced to
3 the location where receipt by the consumer, or the consumer's donee,
4 designated as such by the consumer, occurs, including the location
5 indicated by instructions for delivery to the consumer or donee,
6 known to the seller.

7 3. When the provisions of paragraph 2 of this subsection do not
8 apply, the sale shall be sourced to the location indicated by an
9 address for the consumer that is available from the business records
10 of the seller that are maintained in the ordinary course of the
11 seller's business when use of this address does not constitute bad
12 faith.

13 4. When the provisions of paragraphs 2 and 3 of this subsection
14 do not apply, the sale shall be sourced to the location indicated by
15 an address for the consumer obtained during the consummation of the
16 sale, including the address of a consumer's payment instrument, if
17 no other address is available, when use of this address does not
18 constitute bad faith.

19 5. When none of the previous rules of paragraphs 1, 2, 3 and 4
20 of this subsection apply, including the circumstance in which the
21 seller is without sufficient information to apply the previous
22 rules, then the location shall be determined by the address from
23 which the service was provided, disregarding for these purposes any
24 location that merely provided the digital transfer of the product

1 sold. If the seller knows the mobile telephone number, the location
2 will be that which is associated with the mobile telephone number.

3 C. ~~The fees authorized by subsection A of this section shall~~
4 ~~not be assessed on landline phone customers.~~

5 ~~D.~~ The fees imposed in subsection A of this section shall
6 replace any 9-1-1 wireless telephone fees previously adopted by any
7 county pursuant to Section 2843.1 of ~~Title 63 of the Oklahoma~~
8 ~~Statutes~~ this title, or 9-1-1 VoIP emergency service fees adopted by
9 a governing body pursuant to Section 2853 of ~~Title 63 of the~~
10 ~~Oklahoma Statutes~~ this title, or fees on prepaid wireless retail
11 transactions pursuant to Section 2843.2 of ~~Title 63 of the Oklahoma~~
12 ~~Statutes~~ this title. Fees collected and transferred pursuant to
13 those sections shall remain in effect through December 31, 2016.

14 ~~E.~~ D. From each ~~seventy-five-cent~~ one-dollar-and-twenty-five-
15 cent fee assessed and collected pursuant to subsection A of this
16 section, twenty-five cents ~~(\$0.05)~~ (\$0.25) shall be deposited into
17 the Oklahoma 9-1-1 Management Authority Revolving Fund created
18 pursuant to Section ~~9~~ 2869 of this ~~act~~ title. Funds accumulating in
19 this revolving fund shall be used to fund the salary of the Oklahoma
20 9-1-1 Coordinator and any administrative staff, operations of the
21 Authority and any costs associated with the administration of the
22 Oklahoma 9-1-1 Management Authority Act within the Oklahoma
23 Department of Emergency Management, and for grants approved by the
24 Authority for purposes as authorized in this act.

1 SECTION 8. AMENDATORY 63 O.S. 2021, Section 2866, is
2 amended to read as follows:

3 Section 2866. A. 9-1-1 telephone fees authorized and collected
4 by wireless service providers and Voice over Internet Protocol
5 (VoIP) providers, pursuant to paragraphs 1 and 2 of subsection A of
6 Section 2865 of this title, from each of their end users residing in
7 this state shall be paid to the Oklahoma Tax Commission no later
8 than the twentieth day of the month succeeding the month of
9 collection.

10 B. From the total fees collected pursuant to paragraphs 1 and 2
11 of subsection A of Section 2865 of this title, eight-tenths of one
12 percent ~~(1%)~~ (0.8%) shall be retained by the wireless service
13 provider or VoIP provider, and one percent (1%) shall be retained by
14 the Tax Commission as reimbursement for the direct cost of
15 administering the collection and remittance of the fees.

16 C. Every billed service subscriber shall be liable for any 9-1-
17 1 wireless telephone fee imposed pursuant to the Oklahoma 9-1-1
18 Management Authority Act until the fee has been paid to the wireless
19 service provider.

20 D. Fees imposed pursuant to the Oklahoma 9-1-1 Management
21 Authority Act which are required to be collected by the wireless
22 service provider or VoIP provider may be added to and shall be
23 stated separately in any billings to the service subscriber.

24

1 E. The wireless service provider or VoIP provider shall have no
2 obligation to take any legal action to enforce the collection of any
3 9-1-1 wireless telephone fee imposed pursuant to the provisions of
4 the Oklahoma 9-1-1 Management Authority Act. Should any service
5 subscriber tender a payment insufficient to satisfy all charges,
6 tariffs, fees and taxes for wireless telephone or VoIP service, the
7 amount tendered shall be credited to the 9-1-1 wireless telephone
8 fee in the same manner as other taxes and fees.

9 F. Any 9-1-1 fee imposed pursuant to the provisions of the
10 Oklahoma 9-1-1 Management Authority Act shall be collected insofar
11 as practicable at the same time as, and along with, the charges for
12 wireless telephone or VoIP service in accordance with the regular
13 billing practice of the provider.

14 G. Nothing in the Oklahoma 9-1-1 Management Authority Act shall
15 be construed to limit the ability of a wireless service provider or
16 VoIP provider from recovering its costs associated with designing,
17 developing, deploying and maintaining enhanced 9-1-1 service
18 directly from the service subscribers of the provider, whether the
19 costs are itemized on the bill of the service subscriber as a
20 surcharge or by any other lawful means.

21 H. The wireless service provider or VoIP provider shall
22 maintain records of the amount of 9-1-1 telephone fees collected in
23 accordance with the provisions of the Oklahoma 9-1-1 Management
24 Authority Act for a period of three (3) years from the time the fee

1 is collected. The State Auditor and Inspector, the Oklahoma 9-1-1
2 Management Authority or any affected public agency may require an
3 annual audit of the books and records of the wireless service
4 provider or VoIP provider concerning the collection and remittance
5 of fees authorized by the Oklahoma 9-1-1 Management Authority Act.
6 Auditors shall have access to all information used by the wireless
7 service provider or VoIP provider to calculate and remit the 9-1-1
8 telephone fee. Audit expenses shall be reimbursable pursuant to
9 procedures established by the Oklahoma 9-1-1 Management Authority if
10 the audit is approved by the Authority.

11 I. The wireless service provider or VoIP provider shall provide
12 to the Oklahoma 9-1-1 Management Authority an annual census showing
13 the primary place of use of its subscribers located by county and
14 either a municipality or unincorporated area. The census shall
15 contain all subscribers as of December 31 of each year, and shall be
16 provided to the Authority no later than February 1 of each year.

17 J. All proprietary information provided by a wireless service
18 provider or VoIP provider to the Authority shall not be subject to
19 disclosure to the public or any other party.

20 K. Within thirty (30) days of receipt, the Oklahoma Tax
21 Commission shall pay available fees remitted pursuant to Section
22 2865 of this title to the governing bodies that the Oklahoma 9-1-1
23 Management Authority has certified in accordance with Section 2864
24 of this title as eligible to receive funds. The share to be paid to

1 or escrowed for each governing body shall be determined by dividing
2 the population of the governing body by the total population of the
3 state using the latest Federal Decennial Census estimates.

4 L. The Oklahoma Tax Commission shall provide the 9-1-1
5 Management Authority a monthly report showing the 9-1-1 wireless fee
6 deposits including the name of the provider and the amount of each
7 deposit. Upon request the 9-1-1 Authority may request telephone or
8 mailing address information of the provider.

9 SECTION 9. AMENDATORY 63 O.S. 2021, Section 2867, is
10 amended to read as follows:

11 Section 2867. A. Prepaid 9-1-1 wireless transaction fees
12 authorized and collected pursuant to paragraph 3 of subsection A of
13 Section 2865 of this title from retailers shall be paid to the
14 Oklahoma Tax Commission under procedures established by the Tax
15 Commission that substantially coincide with the registration and
16 payment procedures that apply under the Oklahoma Sales Tax Code and
17 as directed by the Oklahoma 9-1-1 Management Authority. The audit
18 and appeal procedures, including limitations period, applicable to
19 the Oklahoma Sales Tax Code shall apply to prepaid 9-1-1 wireless
20 telephone fees.

21 B. From the total fees collected pursuant to paragraph 3 of
22 subsection A of Section 2865 of this title, ~~three percent (3%) shall~~
23 ~~be retained by the seller and~~ eight-tenths of one percent ~~(1%)~~
24 (0.8%) shall be retained by the Tax Commission as reimbursement for

1 the direct cost of administering the collection and remittance of
2 such fees.

3 C. The prepaid 9-1-1 wireless transaction fee shall be
4 collected by the retailer from the consumer for each retail
5 transaction occurring in this state. The amount of the prepaid 9-1-
6 1 wireless fee shall either be separately stated on the invoice,
7 receipt or similar document that is provided to the consumer by the
8 seller, or otherwise disclosed to the consumer.

9 D. The prepaid 9-1-1 wireless telephone fee is the liability of
10 the consumer and not of the seller or of any provider, except that
11 the seller shall be liable to remit all prepaid 9-1-1 wireless
12 telephone fees that the seller collects as provided in this section,
13 including all charges that the seller is deemed to collect where the
14 amount of the fee has not been separately stated on an invoice,
15 receipt or other similar document.

16 E. If the amount of the prepaid 9-1-1 wireless telephone fee is
17 separately stated on the invoice, receipt or similar document, the
18 prepaid 9-1-1 wireless telephone fee shall not be included in the
19 base for measuring any tax, fee, surcharge or other charge that is
20 imposed by the state, any political subdivision of this state or any
21 intergovernmental agency.

22 F. The Oklahoma Tax Commission shall provide the 9-1-1
23 Management Authority with a monthly report showing the 9-1-1
24 wireless fee deposits including the name of the provider and the

1 amount of each deposit. Upon request the 9-1-1 Authority may
2 request telephone or mailing address information of the provider.

3 SECTION 10. AMENDATORY 63 O.S. 2021, Section 2868, is
4 amended to read as follows:

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

10 B. The 9-1-1 Management Authority will oversee all 9-1-1 fees
11 collected under the Oklahoma Emergency Telephone Act and the fees
12 collected by this act. The Authority may order the Oklahoma Tax
13 Commission to escrow fees attributable to public agencies which have
14 misspent, diverted or supplanted 9-1-1 collected fees to a purpose
15 other than what is authorized by the Oklahoma Emergency Telephone
16 Act or this act.

17 C. Money remitted to public agencies pursuant to the Oklahoma
18 9-1-1 Management Authority Act and any money otherwise collected by
19 any lawful means for purposes of providing 9-1-1 emergency telephone
20 services shall be deposited in a separate 9-1-1 emergency telephone
21 service account established by a public agency or its governing body
22 to carry out the requirements of the Oklahoma 9-1-1 Management
23 Authority Act. Monies deposited in this account may be transferred
24 to another account within the governing body, but a 9-1-1-specific

1 sub-account line item shall be maintained with the accounting
2 system. Monies remaining in such accounts at the end of a fiscal
3 year shall carry over to subsequent years. The monies deposited in
4 the Oklahoma 9-1-1 Management Authority Revolving Fund shall at no
5 time be monies of the state and shall not become part of the general
6 budget of the Office of Emergency Management or any other state
7 agency. Except as otherwise authorized by the Oklahoma 9-1-1
8 Management Authority Act, no monies from the Oklahoma 9-1-1
9 Management Authority Revolving Fund shall be transferred for any
10 purpose to any other state agency or any account of the Office of
11 Emergency Management or be used for the purpose of contracting with
12 any other state agency or reimbursing any other state agency for any
13 expense. Payments from the Oklahoma 9-1-1 Management Authority
14 Revolving Fund shall not become or be construed to be any obligation
15 of the state. No claims for reimbursement from the Oklahoma 9-1-1
16 Management Authority Revolving Fund shall be paid with state monies.

17 D. If the Oklahoma 9-1-1 Management Authority determines that
18 the public agency has failed to deploy Phase II service, failed to
19 meet the State master plan for NG9-1-1 services or has failed to
20 deliver service consistent with National Emergency Number
21 Association (NENA) standards, the public agency shall submit an
22 improvement plan within the time prescribed by the Authority. The
23 Authority may order the Oklahoma Tax Commission to escrow fees

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1 attributable to public agencies which have not submitted plans or
2 complied with improvement plans.

3 E. A public agency shall be required to have conducted
4 separately or as a part of the annual audit required by law of the
5 municipality or county an annual audit of any accounts established
6 or used for the operation of a 9-1-1 emergency telephone system.

7 The audit may be conducted by the State Auditor and Inspector at the
8 discretion of the public agency. The cost of the audit of the 9-1-1
9 emergency telephone system may be paid from and be considered a part
10 of the operating expenses of the 9-1-1 emergency telephone system.

11 Proprietary information of the wireless service providers shall be
12 confidential. Audit information pertaining to revenue collected or
13 disbursed may be released only in aggregate form so that no
14 provider-specific information may be extrapolated.

15 F. Public agencies shall be required to annually submit to the
16 Authority:

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

21 2. A copy of the most recent annual audit or budget showing all
22 expenses of the public agency relating to the 9-1-1 emergency
23 telephone system.

24

1 G. The Authority shall have the power to review, approve,
2 submit for further information or deny approval of the annual report
3 of each public agency required pursuant to subsection F of this
4 section. Failure by a public agency to submit the report annually
5 or denial of a report may cause the Authority to order the Tax
6 Commission to escrow the 9-1-1 emergency telephone fees due to the
7 public agency until the public agency complies with the requirements
8 of the Oklahoma 9-1-1 Management Authority Act and the procedures
9 established by the Authority.

10 H. The governing body or public safety oversight designee of
11 the public agency shall meet at least quarterly to oversee the
12 operations of the 9-1-1 emergency telephone system, review
13 expenditures and annually set and approve an operating budget, and
14 take any other action as necessary for the operation and management
15 of the system.

16 I. Records and meetings of the public agency shall be subject
17 to the Oklahoma Open Records Act and the Oklahoma Open Meeting Act.

18 SECTION 11. AMENDATORY 63 O.S. 2021, Section 2871, is
19 amended to read as follows:

20 Section 2871. A. This act shall be known and may be cited as
21 the "Regional Emergency 9-1-1 Services Act".

22 B. It is the purpose of the Regional Emergency 9-1-1 Services
23 Act to encourage formation of emergency communication districts in
24

1 order to provide efficient delivery of emergency 9-1-1 service
2 throughout the state.

3 C. This act shall not apply to any 9-1-1 system or public
4 agency participating in a 9-1-1 system that was established prior to
5 January 1, 2017, and that had adopted Phase II 9-1-1 service by that
6 date.

7 D. A new public safety answering point shall not be established
8 after July 1, 2024, unless the new public safety answering point is
9 established as a result of:

10 1. A consolidation with an existing public safely answering
11 point; or

12 2. A replacement of an existing public safety answering point.

13 E. For the purposes of this section:

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

15 2. "Emergency communication district" means a district formed
16 pursuant to this act to deliver emergency 9-1-1 services on a
17 regional basis;

18 3. "9-1-1 system" means an entity that processes emergency 9-1-
19 1 calls through a public safety answering point;

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

22 5. "Principal municipality" means the municipality with the
23 largest population in a district; and
24

1 6. "Public agency" means any city, town, county, municipal
2 corporation, public district, public trust, substate planning
3 district, public authority or tribal authority located within this
4 state which provides or has authority to provide firefighting, law
5 enforcement, ambulance, emergency medical or other emergency
6 services.

7 ~~E.~~ F. On or before December 31, 2017, all public agencies in
8 this state shall form regional emergency communication districts for
9 the purpose of creating an area-wide emergency 9-1-1 system for
10 their respective jurisdictions. The territory of the district shall
11 be coextensive with the territory of the regional substate planning
12 district unless a different territory is approved by the Oklahoma 9-
13 1-1 Management Authority. If a public agency is situated in more
14 than one such territory, it shall become part of the district in
15 which it is principally located. If, due to the effect of
16 subsection C of this section, the majority of the participating
17 public agencies located in the territory of a proposed district
18 determine that it would be in the best interests of their citizens,
19 they may request inclusion in an adjacent district.

20 ~~F.~~ G. The public agencies to be included in each district may
21 form the district by entering into local cooperative agreements
22 which shall establish a governance structure and provide for the
23 joint implementation, funding, operation, and management of the
24 district.

1 ~~G.~~ H. If the public agencies in a region are unable to develop
2 a local cooperative agreement by December 31, 2017, they shall be
3 included in an emergency communication district that is governed by
4 a board of directors consisting of an appointee by each public
5 agency that was authorized by its voters to fund a 9-1-1 system
6 prior to the formation of the district, one appointee elected by a
7 majority of the remaining public agencies in the district, and an
8 additional appointee by the principal municipality in the district
9 who shall serve as chair of the board.

10 ~~H.~~ I. Unless otherwise provided by agreement, any participating
11 public agency that had been authorized by its voters to fund a 9-1-1
12 system prior to the formation of the district shall retain control
13 of the property, operation, and funding of its system; provided,
14 however, the district may contract with such participating public
15 agency to include the agency's system in the district's master
16 implementation plan. To the extent practicable, the district shall
17 not duplicate the equipment or answering point services already
18 provided by a participating public agency. A user of one or more
19 communication services subject to the payment of fees or taxes for
20 an emergency 9-1-1 system shall not be charged for more than one
21 such fee or tax for each service.

22 ~~I.~~ J. An emergency communication district shall have power to
23 make all contracts to carry out the purposes of the Regional
24 Emergency 9-1-1 Services Act, purchase and convey real property,

1 impose service fees authorized for public agencies for the provision
2 of 9-1-1 service, appoint a manager of the district, and adopt rules
3 and policies for the operation of the district.

4 ~~J.~~ K. Within one (1) year after the effective date of the
5 formation of the district, the board of directors shall submit its
6 master plan to deliver Phase II emergency 9-1-1 service throughout
7 its territory to the Oklahoma 9-1-1 Management Authority for
8 approval. The Authority shall have the power to prescribe the terms
9 of the plan and to approve or disapprove the master plan.

10 Additionally, the Authority shall have the power to request the Tax
11 Commission to escrow the wireless fees attributable to the public
12 agencies which have not submitted a master plan or which have not
13 complied with the terms of the master plan.

14 ~~K.~~ L. An emergency communication district shall operate on a
15 fiscal year beginning July 1. It shall adopt an annual budget and
16 cause to be prepared an independent financial audit annually. As
17 soon as practicable after the end of the fiscal year, the district
18 shall deliver to each participating public agency an annual report
19 showing in detail the operations of the district.

20 SECTION 12. REPEALER 63 O.S. 2021, Sections 2814 and
21 2815 are hereby repealed.

22 SECTION 13. This act shall become effective November 1, 2023.

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24 59-1-7340 JBH 02/09/23

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HB1924

Rep. Lonnie Sims

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1924 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Lonnie Sims

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1924

By: Sims

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to public health and safety;
10 requiring Oklahoma 9-1-1 Management Authority to
11 maintain certain training platform; requiring
12 creation, maintenance and certification of certain
13 list; stating certain training requirements;
14 requiring establishment of certain hourly training
15 requirements; requiring completion of certain
16 training by certain date; requiring training follow
17 certain guidelines; amending 63 O.S. 2021, Section
18 2803, which relates to establishment of basic or
19 sophisticated system; removing certain compatibility
20 stipulation; amending 63 O.S. 2021, Section 2815,
21 which relates to fee collection; removing certain
22 limits on terms; amending 63 O.S. 2021, Section 2846,
23 which relates to mandatory provision of emergency
24 telephone service; requiring service company provide
certain data elements; amending 63 O.S. 2021, Section
2862, as amended by Section 6, Chapter 30, O.S.L.
2022 (63 O.S. Supp. 2022, Section 2862), which
relates to definitions; defining term; amending 63
O.S. 2021, Section 2863, which relations to the
creation of the Oklahoma 9-1-1 Management Authority;
modifying membership of the Authority; adding certain
nonvoting members; excluding nonvoting members from
quorum requirements; excluding nonvoting members from
executive sessions; providing selection requirements
for nonvoting members; deleting chair designation
requirement; allowing for certain reimbursement;
removing certain legal support requirement; amending
63 O.S. 2021, Section 2864, as amended by Section 7,
Chapter 30, O.S.L. 2022 (63 O.S. Supp. 2022, Section

1 2864), which relates to powers and duties; modifying
2 certain powers and duties; requiring certain
3 submission to Oklahoma Tax Commission; detailing the
4 distribution of certain revenue from collected fees;
5 allowing establishment of certain contracts; amending
6 63 O.S. 2021, Section 2865, which relates to fees;
7 modifying certain fees collected; excluding fees for
8 certain types of phones; modifying certain deposit
9 amount; amending 63 O.S. 2021, Sections 2866 and
10 2867, which relate to collection and apportionment of
11 fees; modifying retention percentage of certain fees;
12 removing fee retention by certain entity; amending 63
13 O.S. 2021, Section 2868, which relates to use and
14 oversight of funds; allowing the transfer of certain
15 monies; requiring certain designee of public agency
16 to have certain meeting; amending 63 O.S. 2021,
17 Section 2871, which relates to the Regional Emergency
18 Nine-One-One Services Act; disallowing establishment
19 of new public safety answering point after certain
20 date; providing certain exceptions; providing for
21 codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2872 of Title 63, unless there
is created a duplication in numbering, reads as follows:

A. The Oklahoma 9-1-1 Management Authority shall maintain an
online training platform for 9-1-1 emergency telecommunicators in
the State of Oklahoma.

B. The Oklahoma 9-1-1 Management Authority shall create,
maintain, and certify a list of qualified online and in-person
training programs that include the basic requirements for a 9-1-1

1 emergency telecommunicator. Classes shall be a minimum of forty
2 (40) hours in length and include instruction for basic call handling
3 and dispatch services. The 9-1-1 Management Authority shall
4 establish hourly training requirements on a yearly basis.

5 C. On or before July 1, 2024, all emergency telecommunicators
6 in the State of Oklahoma shall complete, either in person or
7 virtual, a forty-hour state-recognized training course for basic
8 call handling and dispatch services.

9 D. Any new emergency telecommunicator hired after January 1,
10 2024, shall complete, either in person or virtual, a forty-hour
11 state recognized training course for basic call handling and
12 dispatch services within six (6) months of his or her hire date.

13 E. On or before July 1, 2024, all emergency telecommunicators
14 in the State of Oklahoma shall complete, either in person or
15 virtually, a state or nationally recognized telecommunicator CPR (T-
16 CPR) training course. T-CPR training shall follow evidence-based,
17 nationally recognized guidelines for high-quality T-CPR which
18 incorporates recognition protocols for out-of-hospital cardiac
19 events.

20 SECTION 2. AMENDATORY 63 O.S. 2021, Section 2803, is
21 amended to read as follows:

22 Section 2803. Every public agency or public safety agency
23 within its respective jurisdiction may establish a basic or
24 sophisticated system, ~~if technologically compatible~~ with the

1 existing local telephone network. The establishment of such systems
2 shall be centralized where feasible. Any system established
3 pursuant to this act may include a segment of the territory of a
4 public agency. All systems shall be designed to meet the
5 requirements of each community and public agency served by the
6 system. Every system, whether basic or sophisticated, may be
7 designed to have the capability of utilizing at least three of the
8 four methods specified in paragraphs 3, 8, 9 and 11 of Section ~~2~~
9 2802 of this ~~act~~ title, in response to emergency calls. In addition
10 to the number "911", a public agency or public safety agency may
11 maintain a separate secondary backup number, and shall maintain a
12 separate number for nonemergency telephone calls.

13 SECTION 3. AMENDATORY 63 O.S. 2021, Section 2815, is
14 amended to read as follows:

15 Section 2815. A. Any fee imposed pursuant to Section 2814 of
16 this title and the amounts required to be collected are due monthly.
17 The amount of fee collected in one (1) month by the local exchange
18 telephone company shall be remitted to the governing body no later
19 than thirty (30) days after the close of the month in which such
20 fees were collected. In the event the fee collected is not remitted
21 by the local exchange telephone company or by a competitive local
22 exchange company, as both are defined in Section 139.102 of Title 17
23 of the Oklahoma Statutes, to the governing body within thirty (30)
24 days after the close of the month in which such fees were collected,

1 then the local exchange telephone company shall remit a penalty to
2 the governing body. The penalty shall be equal to ten percent (10%)
3 of the original unremitted fee, payable on the first day of each
4 month the fee remains delinquent. All fees collected by the local
5 exchange telephone company and remitted to the governing body and
6 any other money collected to fund the emergency telephone system
7 shall be deposited in a special nine-one-one account established by
8 the governing body, and shall be used only to fund the expenditures
9 authorized by the Nine-One-One Emergency Number Act. The governing
10 body shall account for all disbursements from the account and shall
11 not allow the funds to be transferred to another account not
12 specifically established for the operation of the emergency
13 telephone system.

14 B. On or before the last day of each month, a return for the
15 preceding month shall be filed with the governing body in a form the
16 governing body and the local exchange telephone company agree to.
17 The local exchange telephone company required to file the return
18 shall deliver the return together with a remittance of the amount of
19 the fee payable to the treasurer or other person responsible to the
20 governing body for receipt of payments from the fee. The local
21 exchange telephone company shall maintain records of the amount of
22 any fee collected in accordance with the provisions of the Nine-One-
23 One Emergency Number Act. The records shall be maintained for a
24 period of one (1) year from the time the fee is collected.

1 C. From every remittance of the collected fee to the governing
2 body made on or before the date when the same becomes due, the local
3 exchange telephone company required to remit the fee shall be
4 entitled to deduct and retain for administrative costs, an amount
5 not to exceed three percent (3%) of the first five percent (5%) of
6 the emergency telephone fee.

7 D. At least once each calendar year, the governing body shall
8 establish the fee for the subsequent year in an amount not to exceed
9 the amount approved by the voters as provided by the provisions of
10 Section 2814 of this title that, together with any surplus revenues,
11 will produce sufficient revenues to fund the expenditures authorized
12 by the Nine-One-One Emergency Number Act. Amounts collected in
13 excess of that necessary within a given year shall be carried
14 forward to subsequent years. The governing body shall make the
15 determination of the fee amount no later than September 1 of each
16 year and shall fix the new fee to take effect commencing with the
17 first billing period of each service user on or following the next
18 January 1. Immediately upon making its determination and fixing the
19 fee, the governing body shall publish in its minutes the new fee,
20 and it shall, at least ninety (90) days before the new fee shall
21 become effective, notify by certified mail every local exchange
22 telephone company providing emergency telephone service to areas
23 within the jurisdiction of the governing body. The governing body
24 may at its own expense require an annual audit of the books and

1 records of the local exchange telephone company concerning the
2 collection and remittance of the fee authorized by the Nine-One-One
3 Emergency Number Act.

4 E. The governing body shall be required to have conducted
5 separately or as a part of the annual audit required by law of the
6 municipality or county an annual audit of any accounts established
7 or used by the governing body for the operation of an emergency
8 telephone system. The audit may be conducted by the State Auditor
9 and Inspector at the discretion of the governing body. All audits
10 shall be conducted in accordance with generally accepted auditing
11 standards and Government Auditing Standards issued by the
12 Comptroller General of the United States. A copy of the audit shall
13 be filed with the State Auditor and Inspector and action taken in
14 accordance with Section 212A of Title 74 of the Oklahoma Statutes.
15 The audit of the emergency telephone system accounts may be paid for
16 and be considered a part of the operating expenses of the emergency
17 telephone system.

18 F. The governing body shall meet at least quarterly to oversee
19 the operations of the emergency telephone system, review
20 expenditures, set and approve an operating budget and take such
21 other action as necessary for the operation and management of the
22 system. The records and meetings of the governing body shall be
23 subject to the Oklahoma Open Meeting Act and the Oklahoma Open
24 Records Act.

1 G. A governing body made up of two or more governmental
2 entities shall have a board consisting of not less than three
3 members; provided, the board shall consist of at least one member
4 representing each governmental entity, appointed by the governing
5 body of each participating governmental entities, as set forth in
6 the agreement forming the board. ~~The members shall serve for terms~~
7 ~~of not more than three (3) years as set forth in the agreement.~~
8 Members may be appointed to serve more than one term. The names of
9 the members of the governing body board and the appointing authority
10 of each member shall be maintained in the office of the county clerk
11 in the county or counties in which the system operates, along with
12 copies of the agreement forming the board and any amendments to that
13 agreement.

14 SECTION 4. AMENDATORY 63 O.S. 2021, Section 2846, is
15 amended to read as follows:

16 Section 2846. A. All local exchange companies, and wireless
17 and other telephone service companies providing service to users in
18 an area in which nine-one-one emergency telephone service is
19 currently operating shall also provide emergency telephone service
20 to all subscribing service users in that area. Wireless and other
21 telephone service companies shall provide information necessary for
22 automatic number identification, automatic location identification
23 and selective routing of nine-one-one emergency wireless calls to
24 cities and counties answering emergency telephone calls for

1 maintenance of existing nine-one-one databases. If the state or an
2 area of the state is utilizing a Next Generation 9-1-1 system that
3 uses the NENA i3 standard for call delivery then the service company
4 shall provide the required data elements required by said standard.

5 The governing body may reasonably require sufficient information to
6 ensure compliance with this section and to provide data for audit
7 and budgetary calculation purposes.

8 B. Information that a wireless service provider is required to
9 furnish in providing nine-one-one service is confidential and exempt
10 from disclosure. The wireless service provider is not liable to any
11 person who uses a nine-one-one service created under this act for
12 the release of information furnished by the wireless service
13 provider in providing nine-one-one service. Information that is
14 confidential under this section may be released only for budgetary
15 calculation purposes and only in aggregate form so that no provider-
16 specific information may be extrapolated.

17 SECTION 5. AMENDATORY 63 O.S. 2021, Section 2862, as
18 amended by Section 6, Chapter 30, O.S.L. 2022 (63 O.S. Supp. 2022,
19 Section 2862), is amended to read as follows:

20 Section 2862. As used in the Oklahoma 9-1-1 Management
21 Authority Act:

22 1. "Authority" means the Oklahoma 9-1-1 Management Authority
23 created in Section 2863 of this title;

24

1 2. "Governing body" means the board of county commissioners of
2 a county, the city council, tribal authority or other governing body
3 of a municipality, or a combination of such boards, councils or
4 other municipal governing bodies including county or municipal
5 beneficiary public trusts, or other public trusts which shall have
6 an administering board. A governing body made up of two or more
7 governmental entities shall have a board consisting of not less than
8 three members and shall consist of at least one member representing
9 each governmental entity, appointed by the governing body of each
10 participating governmental entity, as set forth in the agreement
11 forming the board. The members of the board shall serve for terms
12 of not more than three (3) years as set forth in the agreement.
13 Members may be appointed to serve more than one term. The names of
14 the members of the governing body board and the appointing authority
15 of each member shall be maintained in the office of the county clerk
16 in the county or counties in which the system operates, along with
17 copies of the agreement forming the board and any amendments to that
18 agreement;

19 3. "Next-generation 9-1-1" or "NG9-1-1" means an:
20 a. Internet Protocol based (IP-based) system comprised of
21 hardware, software, data, and operational policies and
22 procedures that:
23
24

- (1) provides standardized interfaces from emergency call and message services to support emergency communications,
- (2) processes all types of emergency calls, including voice, text, data and multimedia information,
- (3) acquires and integrates additional emergency call data useful to call routing and handling,
- (4) delivers the emergency calls, messages and data to the appropriate public safety answering point and other appropriate emergency entities,
- (5) supports data or video communications needs for coordinated incident response and management, and
- (6) provides broadband service to public safety answering points or other first responder entities, or

b. IP-based system comprised of hardware, software, data and operational policies and procedures that conforms with subsequent amendments made to the definition of Next Generation 9-1-1 services in Public Law 112-96;

4. "9-1-1 emergency telephone service" means any telephone system whereby telephone subscribers may utilize a three-digit number (9-1-1) for reporting an emergency to the appropriate public agency providing law enforcement, fire, medical or other emergency services, including ancillary communications systems and personnel

1 necessary to pass the reported emergency to the appropriate
2 emergency service and which the wireless service provider is
3 required to provide pursuant to the Federal Communications
4 Commission Order 94-102 (961 Federal Register 40348);

5 5. "9-1-1 wireless telephone fee" means the fee imposed in
6 Section 2865 of this title to finance the installation and operation
7 of emergency 9-1-1 services and any necessary equipment;

8 6. "Place of primary use" means the street address
9 representative of where the use of the mobile telecommunications
10 service of the customer primarily occurs, which shall be the
11 residential street address or the primary business street address of
12 the customer and shall be within the licensed service area of the
13 home service provider in accordance with Section 55001 of Title 68
14 of the Oklahoma Statutes and the federal Mobile Telecommunications
15 Sourcing Act, P.L. No. 106-252, codified at 4 U.S.C. 116-126;

16 7. "Prepaid wireless telecommunications service" means a
17 telecommunications wireless service that provides the right to
18 utilize mobile wireless service as well as other telecommunications
19 services including the download of digital products delivered
20 electronically, content and ancillary services, which are paid for
21 in advance and sold in predetermined units or dollars of which the
22 number declines with use in a known amount;

23

24

1 8. "Proprietary information" means wireless service provider or
2 VoIP service provider, subscriber, market share, cost and review
3 information;

4 9. "Public agency" means any city, town, county, municipal
5 corporation, public district, public trust, substate planning
6 district, public authority or tribal authority located within this
7 state which provides or has authority to provide firefighting, law
8 enforcement, ambulance, emergency medical or other emergency
9 services;

10 10. "Public safety answering point" or "PSAP" means an entity
11 responsible for receiving 9-1-1 calls and processing those calls
12 according to specific operational policy;

13 11. "Public safety telecommunicator" means a person who
14 performs a public service by processing, analyzing, and dispatching
15 calls for emergency assistance. The person is a first responder
16 that provides pre-arrival instructions and has specialized training
17 to mitigate the loss of life and property;

18 12. "Wireless service provider" means a provider of commercial
19 mobile service under Section 332(d) of the Telecommunications Act of
20 1996, 47 U.S.C., Section 151 et seq., Federal Communications
21 Commission rules, and the Omnibus Budget Reconciliation Act of 1993,
22 Pub. L. No. 103-66, and includes a provider of wireless two-way
23 communication service, radio-telephone communications related to
24 cellular telephone service, network radio access lines or the

1 equivalent, and personal communication service. The term does not
2 include a provider of:

- 3 a. a service whose users do not have access to 9-1-1
4 service,
- 5 b. a communication channel used only for data
6 transmission, or
- 7 c. a wireless roaming service or other nonlocal radio
8 access line service;

9 13. "Wireless telecommunications connection" means the ten-
10 digit access number assigned to a customer regardless of whether
11 more than one such number is aggregated for the purpose of billing a
12 service user; ~~and~~

13 14. "Voice over Internet Protocol (VoIP) provider" means a
14 provider of interconnected Voice over Internet Protocol service to
15 end users in the state, including resellers; and

16 15. "Landline telecommunications connection" means a ten-digit
17 access number assigned to a customer that utilizes analog
18 communications over a wired transmission line that travels
19 underground or on telephone poles.

20 SECTION 6. AMENDATORY 63 O.S. 2021, Section 2863, is
21 amended to read as follows:

22 Section 2863. A. There is hereby created the Oklahoma 9-1-1
23 Management Authority which shall be the governing board overseeing
24 the development and regulation of 9-1-1 emergency systems in this

1 state and managing the distribution of all 9-1-1 telephone fees
2 collected pursuant to the provisions of Section ~~5~~ 2865 of this ~~act~~
3 title.

4 B. The Authority shall be composed of the following members:

5 1. One member representing a tribal authority that operates a
6 9-1-1 system to be appointed by the President Pro Tempore of the
7 Oklahoma State Senate;

8 2. One member representing a statewide organization dedicated
9 to public safety to be appointed by the President Pro Tempore of the
10 Oklahoma State Senate;

11 3. One member representing a statewide organization dedicated
12 to career development for emergency number professionals to be
13 appointed by the Governor;

14 4. One member representing a statewide organization dedicated
15 to representing Oklahoma municipalities to be appointed by the
16 Speaker of the Oklahoma House of Representatives;

17 5. One member representing a statewide organization
18 representing Oklahoma county commissioners to be appointed by the
19 Governor;

20 6. One member representing a statewide association of regional
21 councils of government to be appointed by the President Pro Tempore
22 of the Oklahoma State Senate;

23 7. The Chief Information Officer for the state, or designee;

24

1 8. One member representing a substate planning district to be
2 appointed by the Governor;

3 9. Two members each representing a municipal government
4 operating a 9-1-1 system and having a population of less than one
5 hundred thousand (100,000), one to be appointed by the Speaker of
6 the Oklahoma House of Representatives, and one to be appointed by
7 the Governor;

8 10. One member representing a municipal government operating a
9 9-1-1 system and having a population of more than one hundred
10 thousand (100,000) but less than four hundred fifty thousand
11 (450,000) to be appointed by the Governor;

12 11. One member representing a municipal government operating a
13 9-1-1 system and having a population of more than four hundred fifty
14 thousand (450,000) to be appointed by the Speaker of the Oklahoma
15 House of Representatives;

16 12. One member representing an organization created by an
17 interlocal agreement for the purpose of sharing public safety
18 answering point duties and whose members are municipal governments
19 with a population of less than four hundred fifty thousand (450,000)
20 to be appointed by the Governor;

21 13. One member representing an organization created by an
22 interlocal agreement for the purpose of sharing public safety
23 answering point duties and whose members are municipal governments
24 with a population of more than four hundred fifty thousand (450,000)

1 to be appointed by the President Pro Tempore of the Oklahoma State
2 Senate;

3 14. One member who is a 9-1-1 Coordinator for a county with a
4 population of less than twenty thousand (20,000) to be appointed by
5 the Speaker of the Oklahoma House of Representatives;

6 15. One member who is a 9-1-1 Coordinator for a county with a
7 population of more than twenty thousand (20,000) to be appointed by
8 the President Pro Tempore of the Oklahoma State Senate;

9 16. One member who is a 9-1-1 Coordinator for a county to be
10 appointed by the Governor; and

11 ~~17. One member representing a local exchange telecommunications~~
12 ~~service provider which serves less than fifty thousand (50,000)~~
13 ~~access lines in the state or a telephone cooperative to be appointed~~
14 ~~by the President Pro Tempore of the Senate;~~

15 ~~18. One member representing a local exchange telecommunications~~
16 ~~service provider which serves more than fifty thousand (50,000)~~
17 ~~access lines in the state to be appointed by the Speaker of the~~
18 ~~House of Representatives;~~

19 ~~19. One member representing a Tier I wireless carrier, as~~
20 ~~defined by the Federal Communications Commission, to be appointed by~~
21 ~~the Speaker of the House of Representatives;~~

22 ~~20. One member representing a Tier II wireless carrier, as~~
23 ~~defined by the Federal Communications Commission, to be appointed by~~
24 ~~the Speaker of the House of Representatives;~~

1 ~~21. One member representing a Tier III wireless carrier, as~~
2 ~~defined by the Federal Communications Commission, to be appointed by~~
3 ~~the President Pro Tempore of the Senate;~~

4 ~~22. One member representing the telephone industry to be~~
5 ~~appointed by the President Pro Tempore of the Senate; and~~

6 ~~23. The Oklahoma Secretary of Safety and Security or designee.~~

7 C. There shall be five (5) nonvoting 911 industry members.

8 Nonvoting members are not required for a quorum. Nonvoting members
9 shall not be included in executive sessions. The nonvoting members
10 shall be made up of the following:

11 1. One member representing a local exchange telecommunications
12 service provider which serves less than fifty thousand (50,000)
13 access lines in the state or a telephone cooperative to be appointed
14 by the President Pro Tempore of the Oklahoma State Senate;

15 2. One member representing a local exchange telecommunications
16 service provider which serves more than fifty thousand (50,000)
17 access lines in the state to be appointed by the Speaker of the
18 Oklahoma House of Representatives;

19 3. One member representing a Tier I wireless carrier, as
20 defined by the Federal Communications Commission, to be appointed by
21 the Speaker of the Oklahoma House of Representatives;

22 4. One member representing a Tier III wireless carrier, as
23 defined by the Federal Communications Commission, to be appointed by
24 the President Pro Tempore of the Oklahoma State Senate; and

1 5. One member representing the telephone industry to be
2 appointed by the President Pro Tempore of the Oklahoma State Senate;

3 D. Members shall serve at the pleasure of their appointing
4 authority and vacancies shall be filled by the original appointing
5 authority.

6 ~~D.~~ E. Members shall receive no compensation for serving on the
7 Authority.

8 ~~E.~~ ~~At its first meeting annually the Authority shall designate~~
9 ~~a chair from its members. Meetings shall be held at the call of the~~
10 ~~chair.~~

11 F. The Authority shall be subject to the Oklahoma Open Records
12 Act and the Oklahoma Open Meeting Act.

13 G. The members of the Oklahoma 9-1-1 Management Authority shall
14 be reimbursed for mileage or actual travel expense, whichever is
15 less, to attend regular and special meetings when the travel exceeds
16 fifty (50) miles from their home or business, whichever is closer to
17 the meeting location.

18 H. The Oklahoma Department of Emergency Management shall
19 provide ~~legal,~~ administrative, fiscal and staff support for the
20 Authority. Expenses related to the provision of such services may
21 be paid from funds available in the Oklahoma 9-1-1 Management
22 Authority Revolving Fund created in Section ~~9~~ 2869 of this ~~act~~
23 title, upon approval by a majority of the members of the Authority.
24

1 ~~H.~~ I. Members serving on the Statewide Nine-One-One Advisory
2 Board appointed pursuant to Section 2847 of ~~Title 63 of the Oklahoma~~
3 ~~Statutes~~ this title on the effective date of this act shall continue
4 serving as members of the Oklahoma 9-1-1 Management Authority unless
5 replaced by their appointing authority.

6 SECTION 7. AMENDATORY 63 O.S. 2021, Section 2864, as
7 amended by Section 7, Chapter 30, O.S.L. 2022 (63 O.S. Supp. 2022,
8 Section 2864), is amended to read as follows:

9 Section 2864. The powers and duties of the Oklahoma 9-1-1
10 Management Authority created in Section 2863 of this title shall be
11 to:

12 1. Approve or disapprove the selection of the Oklahoma 9-1-1
13 Coordinator by majority vote of the members. The Authority shall
14 direct the Oklahoma 9-1-1 Coordinator to administer grants approved
15 by the Authority pursuant to this section and perform other duties
16 as it deems necessary to accomplish the requirements of the Oklahoma
17 9-1-1 Management Authority Act;

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

24

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

4 4. Direct the Oklahoma Tax Commission to escrow all or any
5 portion of funds collected pursuant to the Oklahoma 9-1-1 Management
6 Authority Act attributable to a public agency, if the public agency
7 fails to:

- 8 a. submit or comply with master plans to deliver Next
9 Generation 9-1-1 (NG9-1-1) services as required by the
10 Oklahoma 9-1-1 Management Authority Act and approved
11 by the Authority. Local plans must align with the
12 State's Master plan to deploy NG9-1-1,
- 13 b. meet standards of the National Emergency Number
14 Association (NENA) limited to call-taking and caller-
15 location technology or comply with an improvement plan
16 to meet such standards as directed by the Authority,
- 17 c. submit annual reports or audits as required by the
18 Oklahoma 9-1-1 Management Authority Act,
- 19 d. provide connectivity and interoperability between
20 state, regional and local next-generation systems, or
21 e. comply with the requirements of the Oklahoma 9-1-1
22 Management Authority Act or procedures established by
23 the Authority;

1 5. Establish and submit to the Tax Commission a list of
2 eligible governing bodies entitled to receive 9-1-1 telephone fees
3 and establish annual population figures and square miles for the
4 coverage area of the Public Safety Answering Point (PSAP) for the
5 purpose of distributing fees collected pursuant to Section 2865 of
6 this title7. Distribution of the net monthly revenue from 911 fees
7 after the distributions established in Sections 2865, 2866, and 2867
8 of this title will be provided to eligible governing bodies
9 established by this section as follows:

10 a. a flat rate of Three Thousand Dollars (\$3,000.00) per
11 month per Public Safety Answering Points (PSAP), and

12 b. from the remaining balance:

13 (1) ten percent (10%) to be derived by dividing the
14 land area covered by the public agency's response
15 area by the total land area of the state, and

16 (2) ninety percent (90%) to be derived by dividing
17 the population of each public agency's response
18 area by the total population of the state using
19 data from the latest available Census estimates
20 as of July 1 of each year;

21 6. Assist any public agency the Authority determines is
22 performing below standards of the NENA, as limited by paragraph 4 of
23 this section, according to the improvement plan required by the
24 Oklahoma 9-1-1 Management Authority Act. The Authority shall

1 establish a time period for the public agency to come into
2 compliance after which the Authority shall escrow funds as
3 authorized in this section. Improvement plans may include
4 consideration and recommendations for consolidation with other
5 public agencies, and sharing equipment and technology with other
6 jurisdictions;

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

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

15 9. Develop a master plan to deploy next-generation 9-1-1
16 services statewide. This will include the development of
17 performance criteria critical to the function and performance of
18 NG9-1-1 networks and systems;

19 10. Establish rules for interoperability between state,
20 regional and local NG9-1-1 systems;

21 11. Facilitate information-sharing among public agencies;

22 12. Create and maintain best practices databases for PSAP
23 operations;

24

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

3 14. Develop training program standards for public safety
4 telecommunicators for call taking.

5 ~~a.~~ Training program standards shall include instruction
6 on recognizing the need for and delivery of ~~High-~~
7 ~~Quality Telecommunicator~~ high-quality telecommunicator
8 CPR (T-CPR) that can be delivered by 9-1-1 public
9 safety telecommunicators for acute events requiring
10 CPR including, but not limited to, out-of-hospital
11 cardiac events (OHCA)-

12 ~~b.~~ ~~T-CPR training shall follow evidence-based, nationally~~
13 ~~recognized guidelines for high-quality T-CPR which~~
14 ~~incorporates recognition protocols for OHCA and~~
15 ~~continuous education;~~

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

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

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

22 18. May establish contracts for the necessary equipment and
23 services to deliver 9-1-1 calls to the Public Safety Answering
24 Points;

1 19. Establish an eligibleuse list for 9-1-1 funds; and

2 ~~19.~~ 20. Take any steps necessary to carry out the duties
3 required by the Oklahoma 9-1-1 Management Authority Act.

4 SECTION 8. AMENDATORY 63 O.S. 2021, Section 2865, is
5 amended to read as follows:

6 Section 2865. A. Beginning January 1, 2017, there shall be
7 imposed a 9-1-1 telephone fee as follows:

8 1. ~~Seventy-five cents (\$0.75)~~ One Dollar and twenty-five cents
9 (\$1.25) monthly on each wireless telephone connection and other
10 wireless communication device or service connection with the ability
11 to dial 9-1-1 for emergency calls;

12 2. ~~Seventy-five cents (\$0.75)~~ One Dollar and twenty-five cents
13 (\$1.25) monthly on each service ~~that is enabled by Voice over~~
14 ~~Internet Protocol (VoIP) or Internet Protocol (IP)~~ with the ability
15 to dial 9-1-1 for emergency calls, excluding landlines; and

16 3. ~~Seventy-five cents (\$0.75)~~ One Dollar and twenty-five cents
17 (\$1.25) on each prepaid wireless retail transaction occurring in
18 this state.

19 B. 1. For purposes of paragraph 3 of subsection A of this
20 section, a retail transaction that is effected in person by a
21 consumer at a business location of the seller shall be treated as
22 occurring in this state if that business location is in this state.
23 Any other retail transaction shall be sourced as provided in
24 paragraphs 2 through 5 of this subsection as applicable.

1 2. When the retail transaction does not occur at a business
2 location of the seller, the retail transaction shall be sourced to
3 the location where receipt by the consumer, or the consumer's donee,
4 designated as such by the consumer, occurs, including the location
5 indicated by instructions for delivery to the consumer or donee,
6 known to the seller.

7 3. When the provisions of paragraph 2 of this subsection do not
8 apply, the sale shall be sourced to the location indicated by an
9 address for the consumer that is available from the business records
10 of the seller that are maintained in the ordinary course of the
11 seller's business when use of this address does not constitute bad
12 faith.

13 4. When the provisions of paragraphs 2 and 3 of this subsection
14 do not apply, the sale shall be sourced to the location indicated by
15 an address for the consumer obtained during the consummation of the
16 sale, including the address of a consumer's payment instrument, if
17 no other address is available, when use of this address does not
18 constitute bad faith.

19 5. When none of the previous rules of paragraphs 1, 2, 3 and 4
20 of this subsection apply, including the circumstance in which the
21 seller is without sufficient information to apply the previous
22 rules, then the location shall be determined by the address from
23 which the service was provided, disregarding for these purposes any
24 location that merely provided the digital transfer of the product

1 sold. If the seller knows the mobile telephone number, the location
2 will be that which is associated with the mobile telephone number.

3 C. The fees authorized by subsection A of this section shall
4 not be assessed on landline phone customers.

5 D. The fees imposed in subsection A of this section shall
6 replace any 9-1-1 wireless telephone fees previously adopted by any
7 county pursuant to Section 2843.1 of ~~Title 63 of the Oklahoma~~
8 ~~Statutes~~ this title, or 9-1-1 VoIP emergency service fees adopted by
9 a governing body pursuant to Section 2853 of ~~Title 63 of the~~
10 ~~Oklahoma Statutes~~ this title, or fees on prepaid wireless retail
11 transactions pursuant to Section 2843.2 of ~~Title 63 of the Oklahoma~~
12 ~~Statutes~~ this title. Fees collected and transferred pursuant to
13 those sections shall remain in effect through December 31, 2016.

14 E. From each ~~seventy-five-cent~~ One-Dollar-and-twenty-five cent
15 (\$1.25) fee assessed and collected pursuant to subsection A of this
16 section, ~~five cents (\$0.05)~~ twenty-five cents (\$0.25) shall be
17 deposited into the Oklahoma 9-1-1 Management Authority Revolving
18 Fund created pursuant to Section ~~9~~ 2869 of this ~~act~~ title. Funds
19 accumulating in this revolving fund shall be used to fund the salary
20 of the Oklahoma 9-1-1 Coordinator and any administrative staff,
21 operations of the Authority and any costs associated with the
22 administration of the Oklahoma 9-1-1 Management Authority Act within
23 the Oklahoma Department of Emergency Management, and for grants
24 approved by the Authority for purposes as authorized in this act.

1 SECTION 9. AMENDATORY 63 O.S. 2021, Section 2866, is
2 amended to read as follows:

3 Section 2866. A. 9-1-1 telephone fees authorized and collected
4 by wireless service providers and Voice over Internet Protocol
5 (VoIP) providers, pursuant to paragraphs 1 and 2 of subsection A of
6 Section 2865 of this title, from each of their end users residing in
7 this state shall be paid to the Oklahoma Tax Commission no later
8 than the twentieth day of the month succeeding the month of
9 collection.

10 B. From the total fees collected pursuant to paragraphs 1 and 2
11 of subsection A of Section 2865 of this title, eight-tenths of one
12 ~~percent (1%) shall be retained by the wireless service provider or~~
13 ~~VoIP provider, and one percent (1%)~~ (0.8%) shall be retained by the
14 Tax Commission as reimbursement for the direct cost of administering
15 the collection and remittance of the fees.

16 C. Every billed service subscriber shall be liable for any 9-1-
17 1 wireless telephone fee imposed pursuant to the Oklahoma 9-1-1
18 Management Authority Act until the fee has been paid to the wireless
19 service provider.

20 D. Fees imposed pursuant to the Oklahoma 9-1-1 Management
21 Authority Act which are required to be collected by the wireless
22 service provider or VoIP provider may be added to and shall be
23 stated separately in any billings to the service subscriber.

24

1 E. The wireless service provider or VoIP provider shall have no
2 obligation to take any legal action to enforce the collection of any
3 9-1-1 wireless telephone fee imposed pursuant to the provisions of
4 the Oklahoma 9-1-1 Management Authority Act. Should any service
5 subscriber tender a payment insufficient to satisfy all charges,
6 tariffs, fees and taxes for wireless telephone or VoIP service, the
7 amount tendered shall be credited to the 9-1-1 wireless telephone
8 fee in the same manner as other taxes and fees.

9 F. Any 9-1-1 fee imposed pursuant to the provisions of the
10 Oklahoma 9-1-1 Management Authority Act shall be collected insofar
11 as practicable at the same time as, and along with, the charges for
12 wireless telephone or VoIP service in accordance with the regular
13 billing practice of the provider.

14 G. Nothing in the Oklahoma 9-1-1 Management Authority Act shall
15 be construed to limit the ability of a wireless service provider or
16 VoIP provider from recovering its costs associated with designing,
17 developing, deploying and maintaining enhanced 9-1-1 service
18 directly from the service subscribers of the provider, whether the
19 costs are itemized on the bill of the service subscriber as a
20 surcharge or by any other lawful means.

21 H. The wireless service provider or VoIP provider shall
22 maintain records of the amount of 9-1-1 telephone fees collected in
23 accordance with the provisions of the Oklahoma 9-1-1 Management
24 Authority Act for a period of three (3) years from the time the fee

1 is collected. The State Auditor and Inspector, the Oklahoma 9-1-1
2 Management Authority or any affected public agency may require an
3 annual audit of the books and records of the wireless service
4 provider or VoIP provider concerning the collection and remittance
5 of fees authorized by the Oklahoma 9-1-1 Management Authority Act.
6 Auditors shall have access to all information used by the wireless
7 service provider or VoIP provider to calculate and remit the 9-1-1
8 telephone fee. Audit expenses shall be reimbursable pursuant to
9 procedures established by the Oklahoma 9-1-1 Management Authority if
10 the audit is approved by the Authority.

11 I. The wireless service provider or VoIP provider shall provide
12 to the Oklahoma 9-1-1 Management Authority an annual census showing
13 the primary place of use of its subscribers located by county and
14 either a municipality or unincorporated area. The census shall
15 contain all subscribers as of December 31 of each year, and shall be
16 provided to the Authority no later than February 1 of each year.

17 J. All proprietary information provided by a wireless service
18 provider or VoIP provider to the Authority shall not be subject to
19 disclosure to the public or any other party.

20 K. Within thirty (30) days of receipt, the Oklahoma Tax
21 Commission shall pay available fees remitted pursuant to Section
22 2865 of this title to the governing bodies that the Oklahoma 9-1-1
23 Management Authority has certified in accordance with Section 2864
24 of this title as eligible to receive funds. The share to be paid to

1 or escrowed for each governing body shall be determined by dividing
2 the population of the governing body by the total population of the
3 state using the latest Federal Decennial Census estimates.

4 L. The Oklahoma Tax Commission shall provide the 9-1-1
5 Management Authority a monthly report showing the 9-1-1 wireless fee
6 deposits including the name of the provider and the amount of each
7 deposit. Upon request the 9-1-1 Authority may request telephone or
8 mailing address information of the provider.

9 SECTION 10. AMENDATORY 63 O.S. 2021, Section 2867, is
10 amended to read as follows:

11 Section 2867. A. Prepaid 9-1-1 wireless transaction fees
12 authorized and collected pursuant to paragraph 3 of subsection A of
13 Section 2865 of this title from retailers shall be paid to the
14 Oklahoma Tax Commission under procedures established by the Tax
15 Commission that substantially coincide with the registration and
16 payment procedures that apply under the Oklahoma Sales Tax Code and
17 as directed by the Oklahoma 9-1-1 Management Authority. The audit
18 and appeal procedures, including limitations period, applicable to
19 the Oklahoma Sales Tax Code shall apply to prepaid 9-1-1 wireless
20 telephone fees.

21 B. From the total fees collected pursuant to paragraph 3 of
22 subsection A of Section 2865 of this title, ~~three percent (3%) shall~~
23 ~~be retained by the seller and~~ eight-tenths of one percent ~~(1%)~~
24 (0.8%) shall be retained by the Tax Commission as reimbursement for

1 the direct cost of administering the collection and remittance of
2 such fees.

3 C. The prepaid 9-1-1 wireless transaction fee shall be
4 collected by the retailer from the consumer for each retail
5 transaction occurring in this state. The amount of the prepaid 9-1-
6 1 wireless fee shall either be separately stated on the invoice,
7 receipt or similar document that is provided to the consumer by the
8 seller, or otherwise disclosed to the consumer.

9 D. The prepaid 9-1-1 wireless telephone fee is the liability of
10 the consumer and not of the seller or of any provider, except that
11 the seller shall be liable to remit all prepaid 9-1-1 wireless
12 telephone fees that the seller collects as provided in this section,
13 including all charges that the seller is deemed to collect where the
14 amount of the fee has not been separately stated on an invoice,
15 receipt or other similar document.

16 E. If the amount of the prepaid 9-1-1 wireless telephone fee is
17 separately stated on the invoice, receipt or similar document, the
18 prepaid 9-1-1 wireless telephone fee shall not be included in the
19 base for measuring any tax, fee, surcharge or other charge that is
20 imposed by the state, any political subdivision of this state or any
21 intergovernmental agency.

22 F. The Oklahoma Tax Commission shall provide the 9-1-1
23 Management Authority with a monthly report showing the 9-1-1
24 wireless fee deposits including the name of the provider and the

1 amount of each deposit. Upon request the 9-1-1 Authority may
2 request telephone or mailing address information of the provider.

3 SECTION 11. AMENDATORY 63 O.S. 2021, Section 2868, is
4 amended to read as follows:

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

10 B. The 9-1-1 Management Authority will oversee all 9-1-1 fees
11 collected under the Oklahoma Emergency Telephone Act and the fees
12 collected by this act. The Authority may order the Oklahoma Tax
13 Commission to escrow fees attributable to public agencies which have
14 misspent, diverted or supplanted 9-1-1 collected fees to a purpose
15 other than what is authorized by the Oklahoma Emergency Telephone
16 Act or this act.

17 C. Money remitted to public agencies pursuant to the Oklahoma
18 9-1-1 Management Authority Act and any money otherwise collected by
19 any lawful means for purposes of providing 9-1-1 emergency telephone
20 services shall be deposited in a separate 9-1-1 emergency telephone
21 service account established by a public agency or its governing body
22 to carry out the requirements of the Oklahoma 9-1-1 Management
23 Authority Act. Monies deposited in this account may be transferred
24 to another account within the governing body, but a 9-1-1-specific

1 sub-account line item shall be maintained with the accounting
2 system. Monies remaining in such accounts at the end of a fiscal
3 year shall carry over to subsequent years. The monies deposited in
4 the Oklahoma 9-1-1 Management Authority Revolving Fund shall at no
5 time be monies of the state and shall not become part of the general
6 budget of the Office of Emergency Management or any other state
7 agency. Except as otherwise authorized by the Oklahoma 9-1-1
8 Management Authority Act, no monies from the Oklahoma 9-1-1
9 Management Authority Revolving Fund shall be transferred for any
10 purpose to any other state agency or any account of the Office of
11 Emergency Management or be used for the purpose of contracting with
12 any other state agency or reimbursing any other state agency for any
13 expense. Payments from the Oklahoma 9-1-1 Management Authority
14 Revolving Fund shall not become or be construed to be any obligation
15 of the state. No claims for reimbursement from the Oklahoma 9-1-1
16 Management Authority Revolving Fund shall be paid with state monies.

17 D. If the Oklahoma 9-1-1 Management Authority determines that
18 the public agency has failed to deploy Phase II service, failed to
19 meet the State master plan for NG9-1-1 services or has failed to
20 deliver service consistent with National Emergency Number
21 Association (NENA) standards, the public agency shall submit an
22 improvement plan within the time prescribed by the Authority. The
23 Authority may order the Oklahoma Tax Commission to escrow fees

24

1 attributable to public agencies which have not submitted plans or
2 complied with improvement plans.

3 E. A public agency shall be required to have conducted
4 separately or as a part of the annual audit required by law of the
5 municipality or county an annual audit of any accounts established
6 or used for the operation of a 9-1-1 emergency telephone system.

7 The audit may be conducted by the State Auditor and Inspector at the
8 discretion of the public agency. The cost of the audit of the 9-1-1
9 emergency telephone system may be paid from and be considered a part
10 of the operating expenses of the 9-1-1 emergency telephone system.

11 Proprietary information of the wireless service providers shall be
12 confidential. Audit information pertaining to revenue collected or
13 disbursed may be released only in aggregate form so that no
14 provider-specific information may be extrapolated.

15 F. Public agencies shall be required to annually submit to the
16 Authority:

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

21 2. A copy of the most recent annual audit or budget showing all
22 expenses of the public agency relating to the 9-1-1 emergency
23 telephone system.

24

1 G. The Authority shall have the power to review, approve,
2 submit for further information or deny approval of the annual report
3 of each public agency required pursuant to subsection F of this
4 section. Failure by a public agency to submit the report annually
5 or denial of a report may cause the Authority to order the Tax
6 Commission to escrow the 9-1-1 emergency telephone fees due to the
7 public agency until the public agency complies with the requirements
8 of the Oklahoma 9-1-1 Management Authority Act and the procedures
9 established by the Authority.

10 H. The governing body or public safety oversight designee of
11 the public agency shall meet at least quarterly to oversee the
12 operations of the 9-1-1 emergency telephone system, review
13 expenditures and annually set and approve an operating budget, and
14 take any other action as necessary for the operation and management
15 of the system.

16 I. Records and meetings of the public agency shall be subject
17 to the Oklahoma Open Records Act and the Oklahoma Open Meeting Act.

18 SECTION 12. AMENDATORY 63 O.S. 2021, Section 2871, is
19 amended to read as follows:

20 Section 2871. A. This act shall be known and may be cited as
21 the "Regional Emergency 9-1-1 Services Act".

22 B. It is the purpose of the Regional Emergency 9-1-1 Services
23 Act to encourage formation of emergency communication districts in
24

1 order to provide efficient delivery of emergency 9-1-1 service
2 throughout the state.

3 C. This act shall not apply to any 9-1-1 system or public
4 agency participating in a 9-1-1 system that was established prior to
5 January 1, 2017, and that had adopted Phase II 9-1-1 service by that
6 date.

7 D. A new public safety answering point shall not be established
8 after July 1, 2024, unless the new public safety answering point is
9 established as a result of:

10 1. A consolidation with an existing public safely answering
11 point; or

12 2. A replacement of an existing public safety answering point.

13 E. For the purposes of this section:

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

15 2. "Emergency communication district" means a district formed
16 pursuant to this act to deliver emergency 9-1-1 services on a
17 regional basis;

18 3. "9-1-1 system" means an entity that processes emergency 9-1-
19 1 calls through a public safety answering point;

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

22 5. "Principal municipality" means the municipality with the
23 largest population in a district; and

24

1 6. "Public agency" means any city, town, county, municipal
2 corporation, public district, public trust, substate planning
3 district, public authority or tribal authority located within this
4 state which provides or has authority to provide firefighting, law
5 enforcement, ambulance, emergency medical or other emergency
6 services.

7 ~~E.~~ F. On or before December 31, 2017, all public agencies in
8 this state shall form regional emergency communication districts for
9 the purpose of creating an area-wide emergency 9-1-1 system for
10 their respective jurisdictions. The territory of the district shall
11 be coextensive with the territory of the regional substate planning
12 district unless a different territory is approved by the Oklahoma 9-
13 1-1 Management Authority. If a public agency is situated in more
14 than one such territory, it shall become part of the district in
15 which it is principally located. If, due to the effect of
16 subsection C of this section, the majority of the participating
17 public agencies located in the territory of a proposed district
18 determine that it would be in the best interests of their citizens,
19 they may request inclusion in an adjacent district.

20 ~~F.~~ G. The public agencies to be included in each district may
21 form the district by entering into local cooperative agreements
22 which shall establish a governance structure and provide for the
23 joint implementation, funding, operation, and management of the
24 district.

1 ~~G.~~ H. If the public agencies in a region are unable to develop
2 a local cooperative agreement by December 31, 2017, they shall be
3 included in an emergency communication district that is governed by
4 a board of directors consisting of an appointee by each public
5 agency that was authorized by its voters to fund a 9-1-1 system
6 prior to the formation of the district, one appointee elected by a
7 majority of the remaining public agencies in the district, and an
8 additional appointee by the principal municipality in the district
9 who shall serve as chair of the board.

10 ~~H.~~ I. Unless otherwise provided by agreement, any participating
11 public agency that had been authorized by its voters to fund a 9-1-1
12 system prior to the formation of the district shall retain control
13 of the property, operation, and funding of its system; provided,
14 however, the district may contract with such participating public
15 agency to include the agency's system in the district's master
16 implementation plan. To the extent practicable, the district shall
17 not duplicate the equipment or answering point services already
18 provided by a participating public agency. A user of one or more
19 communication services subject to the payment of fees or taxes for
20 an emergency 9-1-1 system shall not be charged for more than one
21 such fee or tax for each service.

22 ~~I.~~ J. An emergency communication district shall have power to
23 make all contracts to carry out the purposes of the Regional
24 Emergency 9-1-1 Services Act, purchase and convey real property,

1 impose service fees authorized for public agencies for the provision
2 of 9-1-1 service, appoint a manager of the district, and adopt rules
3 and policies for the operation of the district.

4 ~~J.~~ K. Within one (1) year after the effective date of the
5 formation of the district, the board of directors shall submit its
6 master plan to deliver Phase II emergency 9-1-1 service throughout
7 its territory to the Oklahoma 9-1-1 Management Authority for
8 approval. The Authority shall have the power to prescribe the terms
9 of the plan and to approve or disapprove the master plan.

10 Additionally, the Authority shall have the power to request the Tax
11 Commission to escrow the wireless fees attributable to the public
12 agencies which have not submitted a master plan or which have not
13 complied with the terms of the master plan.

14 ~~K.~~ L. An emergency communication district shall operate on a
15 fiscal year beginning July 1. It shall adopt an annual budget and
16 cause to be prepared an independent financial audit annually. As
17 soon as practicable after the end of the fiscal year, the district
18 shall deliver to each participating public agency an annual report
19 showing in detail the operations of the district.

20 SECTION 13. This act shall become effective November 1, 2023.

21

22 59-1-7401 JBH 02/14/23

23

24

HB1897

Rep. Josh Cantrell

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 HOUSE BILL 1897

By: Cantrell

5
6 AS INTRODUCED

7
8 An Act relating to public health and safety; amending
9 63 O.S. 2021, Sections 2814 and 2815, which relate to
10 political subdivisions authorized to operate
11 emergency telephone service and fee collection;
12 modifying statutory references; modifying name of
13 certain act; amending 63 O.S. 2021, Section 2862, as
14 amended by Section 6, Chapter 30, O.S.L. 2022 (63
15 O.S. Supp. 2022, Section 2862), which relates to
16 definitions; defining terms; modifying definition;
17 amending 63 O.S. 2021, Section 2868, which relates to
18 use of funds; modifying name of certain act; removing
19 certain duplicate language; providing for
20 recodification; repealing 63 O.S. 2021, Sections
21 2811, 2812 and 2813, which relate to short title,
22 purpose of act and definitions; and providing an
23 effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 2814, is
amended to read as follows:

Section 2814. A. In addition to other powers for the
protection of the public health, a governing body may provide for
the operation of an emergency telephone service and may impose an
emergency telephone fee, as provided in this section, for emergency

1 telephone service in areas, subject to the jurisdiction of the
2 governing body. The governing body may do such other acts as are
3 necessary for the protection and preservation of the public health
4 if necessary for the operation of the emergency telephone system.

5 B. The governing body is hereby authorized, by ordinance in the
6 case of municipalities and by resolution in the case of counties or
7 a combined governing body, to provide for the operation of emergency
8 telephone service and to impose an emergency telephone fee in the
9 area to be served by the system. The ordinance or resolution shall
10 submit to the voters in the area to be served the question of the
11 imposition of emergency telephone service and the amount of the
12 emergency telephone fee. The ordinance or resolution shall propose
13 the amount of the emergency telephone fee to begin the second year
14 and for each year thereafter, in an amount not greater than fifteen
15 percent (15%) of the tariff rate, and shall call for an election to
16 be held within one (1) year from the date the ordinance or
17 resolution is adopted.

18 The ordinance or resolution shall also provide for the
19 collection of an amount not to exceed five percent (5%) of the
20 tariff rate in areas subject to the jurisdiction of the governing
21 body for a period of no longer than one (1) year. The one (1) year,
22 five percent (5%) fee shall be a part of, not an addition to, the
23 fee set by the voters. The collection of the five percent (5%) fee
24 may begin, prior to the election, within thirty (30) days after the

1 resolution or ordinance becomes effective. The one (1) year, five
2 percent (5%) fee shall be used to provide for the cost of conducting
3 the election to set the emergency telephone fee and any initial or
4 start-up cost necessary to implement the emergency telephone
5 service. If the fee is not approved by the electors, any remaining
6 money collected during the first year shall be distributed to the
7 local exchange telephone company and then shall be refunded to each
8 service user charged on a pro rata basis.

9 C. Within sixty (60) days of the publication of the resolution
10 adopted pursuant to subsection B of this section, there may be filed
11 with the county election board of the affected county or counties a
12 petition signed by not less than three percent (3%) of the total
13 number of votes cast in the next preceding general election of the
14 county or affected area.

15 Within sixty (60) days of publication of an ordinance adopted by
16 a municipality pursuant to subsection B of this section, there may
17 be filed with the county election board of the county in which the
18 municipality is located a petition signed by not less than three
19 percent (3%) of the total number of votes cast in the next preceding
20 election of the city.

21 The petitions may request that the question of the installation
22 and operation of emergency telephone service and imposition of the
23 one (1) year, five percent (5%) emergency telephone fee as called
24 for in the resolution or ordinance be disapproved.

1 Upon determination of the sufficiency of the petition and
2 certification by the county election board or boards, the
3 proposition shall be submitted to the qualified voters of the
4 county, municipality or area to be served not less than sixty (60)
5 days following the certification of the petition.

6 If a majority of the votes cast in an election held pursuant to
7 subsection B of this section disapprove the operation of emergency
8 telephone service and imposition of an emergency telephone fee or a
9 majority of the votes cast disapprove the one (1) year, five percent
10 (5%) emergency telephone fee, upon certification of the election
11 results by the county election board or boards, the resolution or
12 ordinance shall not take effect and the emergency telephone service
13 and the emergency telephone fee called for in the resolution or
14 ordinance shall not be imposed. If the resolution or ordinance is
15 disapproved by the electors, any remaining money collected during
16 the first year shall be distributed to the local exchange telephone
17 company and then shall be refunded to each service user charged on a
18 pro rata basis.

19 D. If the governing board does not take action to provide for
20 the operation of emergency telephone service and to impose an
21 emergency telephone fee as provided in subsection B of this section,
22 there may be filed with the county election board or boards of the
23 affected area a petition signed by not less than three percent (3%)
24

1 of the total numbers of votes cast in the next preceding election of
2 the affected area.

3 The petition shall request that the question of the installation
4 and operation of emergency telephone service and imposition of a fee
5 in an amount not greater than fifteen percent (15%) of the tariff
6 rate be submitted to the qualified voters of the county,
7 municipality or area to be served. Upon determination of the
8 sufficiency of the petition and certification by the county election
9 board or boards, the proposition shall be submitted to the qualified
10 voters of the county, municipality or area to be served not less
11 than sixty (60) days following the certification of the petition.

12 If a majority of the votes cast at an election held pursuant to
13 this subsection approve the installation and operation of emergency
14 telephone service and imposition of an emergency telephone fee the
15 governing body shall provide for the installation and operation of
16 the service, impose the approved fee and provide for the governance
17 of the system. If the affected area is governed by two or more
18 governmental entities the governing bodies of each shall enter into
19 an agreement in accordance with the Interlocal Cooperative Act to
20 provide for the governance of the system.

21 E. Any fee imposed by a county or combined governing body shall
22 not apply to any portion of the county located within the boundaries
23 of a municipality or other governmental entity also imposing an
24 emergency telephone fee pursuant to the provisions of the ~~Nine-One-~~

1 ~~One Emergency Number~~ Oklahoma 9-1-1 Management Authority Act. The
2 approved emergency telephone fee shall be effective upon
3 certification of the election results by the county election board
4 or boards. Except as provided for in subsections G and I of this
5 section, an emergency telephone fee imposed prior to the effective
6 date of this act shall continue at the established amount until an
7 election to change the fee is called as provided for in this
8 section.

9 F. If a majority of the votes cast at an election held pursuant
10 to subsection B of this section approve the installation and
11 operation of emergency telephone service and imposition of an
12 emergency telephone fee, the governing body shall provide for the
13 installation and operation of the service and impose the approved
14 fee. The initial five percent (5%) fee, established by resolution
15 or an ordinance, as provided pursuant to the provisions of
16 subsection B of this section shall remain in effect for the
17 remainder of the first year.

18 G. The emergency telephone fee approved pursuant to the
19 provisions of this section shall be reviewed at least once each
20 calendar year by the governing body which shall, in accordance with
21 subsection D of Section ~~2815~~ 2 of this ~~title~~ act, establish the
22 amount of the fee for the next calendar year, not to exceed the
23 amount set by the electors. The governing body shall have the power
24 and authority to reduce the emergency telephone fee being paid by

1 the service users of the emergency telephone system to the estimated
2 amount needed for the annual operation and maintenance of the
3 system. If the governing body makes a reduction and in a subsequent
4 year determines it is necessary to increase the fee to operate and
5 maintain the system, the governing body may raise the fee up to an
6 amount not to exceed the amount previously set by the electors. Any
7 fee imposed by the electors of a county, municipality or area served
8 shall remain at the amount approved by the electors until a new vote
9 of the electors is conducted in the manner for which an election may
10 be conducted to impose a fee as provided for in this section. The
11 proceeds of the fee shall be utilized to pay for the operation of
12 emergency telephone service as specified in this section.
13 Collection of the fee may begin at any time if an existing service
14 is already operative or at any time subsequent to execution of a
15 contract with the provider of the emergency telephone service at the
16 discretion of the governing body.

17 H. If the fee approved by the voters is less than fifteen
18 percent (15%) and the governing body determines there exists a need
19 for ancillary communications systems necessary to communicate the
20 reported emergency to the appropriate emergency service and
21 personnel and the governing body also determines that the fee set by
22 the electors is not sufficient to fund the ancillary communications
23 systems, the governing body may by resolution or ordinance call an
24 election to submit the question of raising the voter-approved fee in

1 a sufficient amount, not to exceed fifteen percent (15%), for such
2 additional time as determined by the governing body it is necessary
3 to purchase the ancillary communications equipment. The vote shall
4 be conducted in the manner provided for in subsection B of this
5 section.

6 I. A governing body with an existing emergency telephone
7 service system in operation prior to the effective date of this act
8 may by ordinance or resolution restore the emergency telephone fee
9 set at three percent (3%) to an amount not to exceed five percent
10 (5%) of the tariff rate for such additional time as is necessary to
11 fund ancillary communications equipment necessary to communicate the
12 reported emergency to the appropriate emergency service and
13 personnel.

14 Within sixty (60) days of the publication of the resolution
15 adopted pursuant to this subsection, there may be filed with the
16 county election board of the affected county or counties a petition
17 signed by not less than three percent (3%) of the total number of
18 votes cast in the next preceding general election of the county or
19 affected area.

20 Within sixty (60) days of publication of an ordinance adopted by
21 a municipality pursuant to this subsection, there may be filed with
22 the county election board of the county in which the municipality is
23 located a petition signed by not less than three percent (3%) of the
24

1 total number of votes cast in the next preceding election of the
2 city.

3 The petitions may request that the question of restoring the
4 emergency telephone fee to an amount not to exceed five percent (5%)
5 of the tariff rate to fund ancillary communications equipment be
6 submitted to the qualified voters of the county, municipality or
7 area to be served.

8 Upon determination of the sufficiency of the petition and
9 certification by the county election board or boards, the
10 proposition shall be submitted to the qualified voters of the
11 county, municipality or area to be served not less than sixty (60)
12 days following the certification of the petition. If a majority of
13 the votes cast at the election are for restoring the emergency
14 telephone fee to an amount not to exceed five percent (5%) of the
15 tariff rate to fund ancillary communications equipment, the
16 resolution or ordinance restoring the fee shall become effective.
17 The increase of the fee may be implemented within thirty (30) days
18 after the resolution or ordinance becomes effective.

19 J. The tariff rate used for initial calculation of the
20 emergency telephone service fee shall remain static for the purpose
21 of calculating future fees for emergency telephone service.
22 Therefore, future rate changes for emergency telephone service shall
23 be stated as a percentage of the initial tariff rate.

24

1 K. The emergency telephone fee shall be imposed only upon the
2 amount received from the tariff for exchange telephone service or
3 its equivalent. No fee shall be imposed upon more than one hundred
4 exchange access lines or their equivalent per person per location.

5 L. Every billed service user shall be liable for any fee
6 imposed pursuant to this section until it has been paid to the local
7 exchange telephone company.

8 M. The duty to collect any fee imposed pursuant to the
9 authority of the ~~Nine-One-One Emergency Number~~ Oklahoma 9-1-1
10 Management Authority Act from a service user shall commence at a
11 time specified by the governing body. Fees imposed pursuant to this
12 section that are required to be collected by the local exchange
13 telephone company shall be added to and shall be stated separately
14 in the billings to the service user.

15 N. The local exchange telephone company shall have no
16 obligation to take any legal action to enforce the collection of any
17 fee imposed pursuant to the authority of this section, however,
18 should any service user tender a payment insufficient to satisfy all
19 charges, tariffs, fees and taxes for exchange telephone service, the
20 amount tendered shall be credited to the emergency telephone fee in
21 the same manner as other taxes and fees. The local exchange
22 telephone company shall annually provide the governing body with a
23 list of amounts uncollected along with the names and addresses of
24 those service users which carry a balance that can be determined by

1 the local exchange telephone company to be nonpayment of any fee
2 imposed pursuant to the authority of this section.

3 O. Any fee imposed pursuant to the authority provided by this
4 section shall be collected insofar as practicable at the same time
5 as, and along with, the charges for exchange telephone service in
6 accordance with the regular billing practice of the local exchange
7 telephone service. The tariff rates determined by or stated in the
8 billing of the local exchange telephone company shall be presumed to
9 be correct if such charges were made in accordance with the business
10 practices of the local exchange telephone company. The presumption
11 may be rebutted by evidence which establishes that an incorrect
12 tariff rate was charged.

13 SECTION 2. AMENDATORY 63 O.S. 2021, Section 2815, is
14 amended to read as follows:

15 Section 2815. A. Any fee imposed pursuant to Section ~~2814~~ 1 of
16 this ~~title act~~ and the amounts required to be collected are due
17 monthly. The amount of fee collected in one (1) month by the local
18 exchange telephone company shall be remitted to the governing body
19 no later than thirty (30) days after the close of the month in which
20 such fees were collected. In the event the fee collected is not
21 remitted by the local exchange telephone company or by a competitive
22 local exchange company, as both are defined in Section 139.102 of
23 Title 17 of the Oklahoma Statutes, to the governing body within
24 thirty (30) days after the close of the month in which such fees

1 were collected, then the local exchange telephone company shall
2 remit a penalty to the governing body. The penalty shall be equal
3 to ten percent (10%) of the original unremitted fee, payable on the
4 first day of each month the fee remains delinquent. All fees
5 collected by the local exchange telephone company and remitted to
6 the governing body and any other money collected to fund the
7 emergency telephone system shall be deposited in a special nine-one-
8 one account established by the governing body, and shall be used
9 only to fund the expenditures authorized by the ~~Nine-One-One~~
10 ~~Emergency Number~~ Oklahoma 9-1-1 Management Authority Act. The
11 governing body shall account for all disbursements from the account
12 and shall not allow the funds to be transferred to another account
13 not specifically established for the operation of the emergency
14 telephone system.

15 B. On or before the last day of each month, a return for the
16 preceding month shall be filed with the governing body in a form the
17 governing body and the local exchange telephone company agree to.
18 The local exchange telephone company required to file the return
19 shall deliver the return together with a remittance of the amount of
20 the fee payable to the treasurer or other person responsible to the
21 governing body for receipt of payments from the fee. The local
22 exchange telephone company shall maintain records of the amount of
23 any fee collected in accordance with the provisions of the ~~Nine-One-~~
24 ~~One Emergency Number~~ Oklahoma 9-1-1 Management Authority Act. The

1 records shall be maintained for a period of one (1) year from the
2 time the fee is collected.

3 C. From every remittance of the collected fee to the governing
4 body made on or before the date when the same becomes due, the local
5 exchange telephone company required to remit the fee shall be
6 entitled to deduct and retain for administrative costs, an amount
7 not to exceed three percent (3%) of the first five percent (5%) of
8 the emergency telephone fee.

9 D. At least once each calendar year, the governing body shall
10 establish the fee for the subsequent year in an amount not to exceed
11 the amount approved by the voters as provided by the provisions of
12 Section 2814 of this title that, together with any surplus revenues,
13 will produce sufficient revenues to fund the expenditures authorized
14 by the ~~Nine-One-One Emergency Number~~ Oklahoma 9-1-1 Management
15 Authority Act. Amounts collected in excess of that necessary within
16 a given year shall be carried forward to subsequent years. The
17 governing body shall make the determination of the fee amount no
18 later than September 1 of each year and shall fix the new fee to
19 take effect commencing with the first billing period of each service
20 user on or following the next January 1. Immediately upon making
21 its determination and fixing the fee, the governing body shall
22 publish in its minutes the new fee, and it shall, at least ninety
23 (90) days before the new fee shall become effective, notify by
24 certified mail every local exchange telephone company providing

1 emergency telephone service to areas within the jurisdiction of the
2 governing body. The governing body may at its own expense require
3 an annual audit of the books and records of the local exchange
4 telephone company concerning the collection and remittance of the
5 fee authorized by the ~~Nine One One Emergency Number~~ Oklahoma 9-1-1
6 Management Authority Act.

7 E. The governing body shall be required to have conducted
8 separately or as a part of the annual audit required by law of the
9 municipality or county an annual audit of any accounts established
10 or used by the governing body for the operation of an emergency
11 telephone system. The audit may be conducted by the State Auditor
12 and Inspector at the discretion of the governing body. All audits
13 shall be conducted in accordance with generally accepted auditing
14 standards and Government Auditing Standards issued by the
15 Comptroller General of the United States. A copy of the audit shall
16 be filed with the State Auditor and Inspector and action taken in
17 accordance with Section 212A of Title 74 of the Oklahoma Statutes.
18 The audit of the emergency telephone system accounts may be paid for
19 and be considered a part of the operating expenses of the 9-1-1
20 emergency telephone system.

21 F. The governing body shall meet at least quarterly to oversee
22 the operations of the 9-1-1 emergency telephone system, review
23 expenditures, set and approve an operating budget and take such
24 other action as necessary for the operation and management of the

1 system. The records and meetings of the governing body shall be
2 subject to the Oklahoma Open Meeting Act and the Oklahoma Open
3 Records Act.

4 G. A governing body made up of two or more governmental
5 entities shall have a board consisting of not less than three (3)
6 members; provided, the board shall consist of at least one (1)
7 member representing each governmental entity, appointed by the
8 governing body of each participating governmental entities, as set
9 forth in the agreement forming the board. The members shall serve
10 for terms of not more than three (3) years as set forth in the
11 agreement. Members may be appointed to serve more than one term.
12 The names of the members of the governing body board and the
13 appointing authority of each member shall be maintained in the
14 office of the county clerk in the county or counties in which the
15 system operates, along with copies of the agreement forming the
16 board and any amendments to that agreement.

17 SECTION 3. AMENDATORY 63 O.S. 2021, Section 2862, as
18 amended by Section 6, Chapter 30, O.S.L. 2022 (63 O.S. Supp. 2022,
19 Section 2862), is amended to read as follows:

20 Section 2862. As used in the Oklahoma 9-1-1 Management
21 Authority Act:

22 1. "Area served" means the geographic area which shall be
23 served by the 9-1-1 emergency telephone service provided by the
24

1 governing body of a county, municipality, part of a county or
2 combination of such governing bodies;

3 2. "Authority" means the Oklahoma 9-1-1 Management Authority
4 created in Section 2863 of this title;

5 3. "Emergency telephone service" means any telephone system
6 utilizing a three-digit number, nine-one-one (9-1-1), for reporting
7 an emergency to the appropriate public agency providing law
8 enforcement, fire, medical or other emergency services, including
9 ancillary communications systems and personnel necessary to pass the
10 reported emergency to the appropriate emergency service and
11 personnel;

12 4. "Emergency telephone fee" means a fee to finance the
13 operation of emergency telephone service;

14 ~~2.~~ 5. "Governing body" means the board of county commissioners
15 of a county, the city council, tribal authority or other governing
16 body of a municipality, or a combination of such boards, councils or
17 other municipal governing bodies including county or municipal
18 beneficiary public trusts, or other public trusts which shall have
19 an administering board. ~~A governing body made up of two or more~~
20 ~~governmental entities shall have a board consisting of not less than~~
21 ~~three members and shall consist of at least one member representing~~
22 ~~each governmental entity, appointed by the governing body of each~~
23 ~~participating governmental entity, as set forth in the agreement~~
24 ~~forming the board. The members of the board shall serve for terms~~

1 ~~of not more than three (3) years as set forth in the agreement.~~
2 ~~Members may be appointed to serve more than one term. The names of~~
3 ~~the members of the governing body board and the appointing authority~~
4 ~~of each member shall be maintained in the office of the county clerk~~
5 ~~in the county or counties in which the system operates, along with~~
6 ~~copies of the agreement forming the board and any amendments to that~~
7 ~~agreement;~~

8 6. "Local exchange telephone company" means any company
9 providing exchange telephone services to any service user in this
10 state, and shall include any competitive local exchange carrier as
11 defined in Section 139.102 of Title 17 of the Oklahoma Statutes;

12 ~~3.~~ 7. "Next-generation 9-1-1" or "NG9-1-1" means an:

- 13 a. IP-based system comprised of hardware, software, data,
14 and operational policies and procedures that:
- 15 (1) provides standardized interfaces from emergency
16 call and message services to support emergency
17 communications,
 - 18 (2) processes all types of emergency calls, including
19 voice, text, data and multimedia information,
 - 20 (3) acquires and integrates additional emergency call
21 data useful to call routing and handling,
 - 22 (4) delivers the emergency calls, messages and data
23 to the appropriate public safety answering point
24 and other appropriate emergency entities,

1 (5) supports data or video communications needs for
2 coordinated incident response and management, and
3 (6) provides broadband service to public safety
4 answering points or other first responder
5 entities, or

6 b. IP-based system comprised of hardware, software, data
7 and operational policies and procedures that conforms
8 with subsequent amendments made to the definition of
9 Next Generation 9-1-1 services in Public Law 112-96;

10 ~~4.~~ 8. "9-1-1 emergency telephone service" means any telephone
11 system whereby telephone subscribers may utilize a three-digit
12 number (9-1-1) for reporting an emergency to the appropriate public
13 agency providing law enforcement, fire, medical or other emergency
14 services, including ancillary communications systems and personnel
15 necessary to pass the reported emergency to the appropriate
16 emergency service and which the wireless service provider is
17 required to provide pursuant to the Federal Communications
18 Commission Order 94-102 (961 Federal Register 40348);

19 ~~5.~~ 9. "9-1-1 wireless telephone fee" means the fee imposed in
20 Section 2865 of this title to finance the installation and operation
21 of emergency 9-1-1 services and any necessary equipment;

22 10. "Person" means any service user, including but not limited
23 to, any individual, firm, partnership, co-partnership, joint
24 venture, association, cooperative organization, private corporation,

1 whether organized for profit or not, fraternal organization,
2 nonprofit organization, estate, trust, business or common law trust,
3 receiver, assignee for the benefit of creditors, trustee or trustee
4 in bankruptcy, the United States of America, the state, any
5 political subdivision of the state, or any federal or state agency,
6 department, commission, board or bureau;

7 ~~6.~~ 11. "Place of primary use" means the street address
8 representative of where the use of the mobile telecommunications
9 service of the customer primarily occurs, which shall be the
10 residential street address or the primary business street address of
11 the customer and shall be within the licensed service area of the
12 home service provider in accordance with Section 55001 of Title 68
13 of the Oklahoma Statutes and the federal Mobile Telecommunications
14 Sourcing Act, P.L. No. 106-252, codified at 4 U.S.C. 116-126;

15 ~~7.~~ 12. "Prepaid wireless telecommunications service" means a
16 telecommunications wireless service that provides the right to
17 utilize mobile wireless service as well as other telecommunications
18 services including the download of digital products delivered
19 electronically, content and ancillary services, which are paid for
20 in advance and sold in predetermined units or dollars of which the
21 number declines with use in a known amount;

22 ~~8.~~ 13. "Proprietary information" means wireless service
23 provider or VoIP service provider, subscriber, market share, cost
24 and review information;

1 ~~9.~~ 14. "Public agency" means any city, town, county, municipal
2 corporation, public district, public trust, substate planning
3 district, public authority or tribal authority located within this
4 state which provides or has authority to provide firefighting, law
5 enforcement, ambulance, emergency medical or other emergency
6 services;

7 ~~10.~~ 15. "Public safety answering point" or "PSAP" means an
8 entity responsible for receiving 9-1-1 calls and processing those
9 calls according to specific operational policy;

10 ~~11.~~ 16. "Public safety telecommunicator" means a person who
11 performs a public service by processing, analyzing, and dispatching
12 calls for emergency assistance. The person is a first responder
13 that provides pre-arrival instructions and has specialized training
14 to mitigate the loss of life and property;

15 17. "Service user" means any person who is provided exchange
16 telephone service in this state;

17 18. "Tariff rate" means the rate or rates billed by a local
18 exchange telephone company stated in tariffs applicable for such
19 company, as approved by the Oklahoma Corporation Commission, or the
20 current equivalent of such rates, which represent the recurring
21 charges of such local exchange telephone company for exchange
22 telephone service or its equivalent, exclusive of all taxes, fees,
23 licenses or similar charges whatsoever.

24

1 ~~12.~~ 19. "Wireless service provider" means a provider of
2 commercial mobile service under Section 332(d) of the
3 Telecommunications Act of 1996, 47 U.S.C., Section 151 et seq.,
4 Federal Communications Commission rules, and the Omnibus Budget
5 Reconciliation Act of 1993, Pub. L. No. 103-66, and includes a
6 provider of wireless two-way communication service, radio-telephone
7 communications related to cellular telephone service, network radio
8 access lines or the equivalent, and personal communication service.
9 The term does not include a provider of:

- 10 a. a service whose users do not have access to 9-1-1
11 service,
- 12 b. a communication channel used only for data
13 transmission, or
- 14 c. a wireless roaming service or other nonlocal radio
15 access line service;

16 ~~13.~~ 20. "Wireless telecommunications connection" means the ten-
17 digit access number assigned to a customer regardless of whether
18 more than one such number is aggregated for the purpose of billing a
19 service user; and

20 ~~14.~~ 21. "Voice over Internet Protocol (VoIP) provider" means a
21 provider of interconnected Voice over Internet Protocol service to
22 end users in the state, including resellers.

23 SECTION 4. AMENDATORY 63 O.S. 2021, Section 2868, is
24 amended to read as follows:

1 Section 2868. A. Public agencies recognized by the Oklahoma 9-
2 1-1 Management Authority and authorized to receive funds collected
3 pursuant to the provisions of the Oklahoma 9-1-1 Management
4 Authority Act shall use the funds only for services, equipment and
5 operations related to 9-1-1 emergency telephone services.

6 B. The 9-1-1 Management Authority will oversee all 9-1-1 fees
7 collected ~~under the Oklahoma Emergency Telephone Act and the fees~~
8 ~~collected~~ by this ~~act~~ Act. The Authority may order the Oklahoma Tax
9 Commission to escrow fees attributable to public agencies which have
10 misspent, diverted or supplanted 9-1-1 collected fees to a purpose
11 other than what is authorized by ~~the Oklahoma Emergency Telephone~~
12 ~~Act or this act~~ Act.

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

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

10 D. If the Oklahoma 9-1-1 Management Authority determines that
11 the public agency has failed to deploy Phase II service, failed to
12 meet the State master plan for NG9-1-1 services or has failed to
13 deliver service consistent with National Emergency Number
14 Association (NENA) standards, the public agency shall submit an
15 improvement plan within the time prescribed by the Authority. The
16 Authority may order the Oklahoma Tax Commission to escrow fees
17 attributable to public agencies which have not submitted plans or
18 complied with improvement plans.

19 E. A public agency shall be required to have conducted
20 separately or as a part of the annual audit required by law of the
21 municipality or county an annual audit of any accounts established
22 or used for the operation of a 9-1-1 emergency telephone system.
23 The audit may be conducted by the State Auditor and Inspector at the
24 discretion of the public agency. The cost of the audit of the 9-1-1

1 emergency telephone system may be paid from and be considered a part
2 of the operating expenses of the 9-1-1 emergency telephone system.
3 Proprietary information of the wireless service providers shall be
4 confidential. Audit information pertaining to revenue collected or
5 disbursed may be released only in aggregate form so that no
6 provider-specific information may be extrapolated.

7 F. Public agencies shall be required to annually submit to the
8 Authority:

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

13 2. A copy of the most recent annual audit or budget showing all
14 expenses of the public agency relating to the 9-1-1 emergency
15 telephone system.

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

1 ~~H. The governing body of the public agency shall meet at least~~
2 ~~quarterly to oversee the operations of the 9-1-1 emergency telephone~~
3 ~~system, review expenditures and annually set and approve an~~
4 ~~operating budget, and take any other action as necessary for the~~
5 ~~operation and management of the system.~~

6 ~~I. Records and meetings of the public agency shall be subject~~
7 ~~to the Oklahoma Open Records Act and the Oklahoma Open Meeting Act.~~

8 SECTION 5. RECODIFICATION 63 O.S. 2021, Section 2814, as
9 last amended by Section 1 of this act, shall be recodified as
10 Section 2869.1 of Title 63 of the Oklahoma Statutes, unless there is
11 created a duplication in numbering.

12 SECTION 6. RECODIFICATION 63 O.S. 2021, Section 2815, as
13 last amended by Section 2 of this act, shall be recodified as
14 Section 2869.2 of Title 63 of the Oklahoma Statutes, unless there is
15 created a duplication in numbering.

16 SECTION 7. RECODIFICATION 63 O.S. 2021, Section 2815.1,
17 shall be recodified as Section 2869.3 of Title 63 of the Oklahoma
18 Statutes, unless there is created a duplication in numbering.

19 SECTION 8. RECODIFICATION 63 O.S. 2021, Section 2816,
20 shall be recodified as Section 2869.4 of Title 63 of the Oklahoma
21 Statutes, unless there is created a duplication in numbering.

22 SECTION 9. RECODIFICATION 63 O.S. 2021, Section 2817,
23 shall be recodified as Section 2869.5 of Title 63 of the Oklahoma
24 Statutes, unless there is created a duplication in numbering.

1 SECTION 10. RECODIFICATION 63 O.S. 2021, Section 2818,
2 shall be recodified as Section 2869.6 of Title 63 of the Oklahoma
3 Statutes, unless there is created a duplication in numbering.

4 SECTION 11. RECODIFICATION 63 O.S. 2021, Section 2820,
5 shall be recodified as Section 2869.7 of Title 63 of the Oklahoma
6 Statutes, unless there is created a duplication in numbering.

7 SECTION 12. REPEALER 63 O.S. 2021, Sections 2811, 2812
8 and 2813 are hereby repealed.

9 SECTION 13. This act shall become effective November 1, 2023.

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11 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/08/2023 -
12 DO PASS.

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