

**TITLE 145. OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT
CHAPTER 15. OKLAHOMA 9-1-1 MANAGEMENT AUTHORITY**

Rule Impact Statement

I. A brief description of the proposed rule:

The proposed rule modifications are to ensure compliance with the Legislative amendments within Chapter 57 of Title 63 of the Oklahoma Statutes via House Bill 1590 (HB 1590), effective November 1, 2023. The proposed rule amendments provide for administrative changes deriving from HB 1590, implement the new fee distribution formula for distributing 9-1-1 telephone fees and providing improvements within the grant program. The proposed additions in Subchapter 11. NG9-1-1 Compliance Requirements detail compliance standards for Primary Safety Answering Points with the Authority's statewide implementation of Next Generation 9-1-1.

II. A description of the persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

The proposed rule will impact public safety answering points or public firefighting, law enforcement, ambulance, emergency medical, or other emergency service agencies who receive 9-1-1 funds from the revenues generated by landline telephone and wireless telephone fees and collected by the Oklahoma Tax Commission or 9-1-1 Management Authority. At this time, the 9-1-1 Management Authority does not anticipate any cost impacts to these agencies.

III. A description of the classes of persons who will benefit from the proposed rule:

Oklahomans from all seventy-seven counties will benefit from this rule by guaranteeing that 9-1-1 funds are spent only on eligible items or services related to 9-1-1 system maintenance, operations, facilities, and improvements.

IV. A description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

The 9-1-1 Management Authority will impact public safety answering points or public firefighting, law enforcement, ambulance, emergency medical, or other emergency service agencies by restricting how these entities can use the 9-1-1 funds. 9-1-1 Funds must be related to the provision 9-1-1 services, including enhanced 9-1-1 services, administration, operations, facilities, and training.

V. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated

effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:

The 9-1-1 Management Authority believes that public safety answering points or public firefighting, law enforcement, ambulance, emergency medical, or other emergency service agencies will benefit from knowing, in advance, what 9-1-1 funds can be used for.

Public agencies are required to have the accounts related to the operation of 9-1-1 emergency systems audited on an annual basis. 63 O.S., § 2868(E). Similarly, they must submit an annual operation and financing report, and a copy of their most recent annual audit or budget, to the 9-1-1 Management Authority for review and approval; disapproval thereof can lead 9-1-1 funds being placed in escrow. 63 O.S., § 2868(F) and (G). By providing clarification as to what constitutes an appropriate eligible use, the proposed new rule minimizes the risk of unfavorable audit results and the escrow of 9-1-1 funds.

VI. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

See answers to IV and V, above.

VII. A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

The 9-1-1 Management Authority does not anticipate any adverse effect on small business as a result of the proposed new rule.

VIII. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

The 9-1-1 Management Authority finds that there are no less costly or nonregulatory methods or less intrusive methods to achieve the purpose of the proposed rule.

IX. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The 9-1-1 Management Authority finds that the proposed rule will benefit public health and safety as it is designed to ensure that the 9-1-1 funds will be spent on new and existing 9-1-1 infrastructure for improvements and maintenance to ensure that all Oklahomans can benefit from 9-1-1 services.

X. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:

The public health, safety, and welfare will be detrimentally affected by failure to implement this rule. 9-1-1 funds will be at risk for diversion to non-9-1-1 service-related purchases and expenditures. Furthermore, Oklahomans will not benefit from well-maintained 9-1-1 services and systems as well as improvements and expansion of 9-1-1 services.

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