

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1842

By: Thompson (Kristen)

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7 AS INTRODUCED

8 An Act relating to county emergency services;  
9 amending 19 O.S. 2021, Sections 901.7 and 901.19,  
10 which relate to fire protection districts; allowing  
11 board of directors to adopt certain act; allowing for  
12 elections to increase certain millage; enabling board  
13 of directors to levy millage for certain purpose;  
14 allowing board of directors to form ambulance service  
15 district; updating statutory language; updating  
16 statutory references; providing for the governing  
17 body of certain district; providing for certain  
18 millage funding and increases; providing for  
19 codification; and providing an effective date.

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

21 SECTION 1. AMENDATORY 19 O.S. 2021, Section 901.7, is  
22 amended to read as follows:

23 Section 901.7. A. The board of directors of a fire protection  
24 district shall have the power and duty to:

- 25 1. Manage and conduct the business affairs of such district;
- 26 2. Make and execute all necessary contracts;

1           3. Purchase or lease-purchase and maintain all necessary and  
2 convenient engines, hoses, hose carts, or other appliances and  
3 supplies for the full equipment of a fire company or department;

4           4. Appoint fire company officers and employees, sufficient to  
5 maintain and operate the equipment owned by such district;

6           5. Take by grant, purchase, condemnation, gift, devise, or  
7 lease, and to dispose of, real or personal property of every kind  
8 necessary for the operation of the district;

9           6. Construct or otherwise acquire suitable firehouses and other  
10 buildings or structures suitable for the housing of equipment and  
11 supplies of the district, or for carrying on its own business and  
12 affairs;

13           7. Employ such officers and employees as may be required, fix  
14 their compensation, and prescribe their duties;

15           8. Establish rules and regulations for the district and for the  
16 prevention of fires and conflagrations within the district and for  
17 the protection of property at and during any fire;

18           9. Prepare an annual budget and follow existing laws pertaining  
19 to the budget process such as public notices, public hearings,  
20 protest periods, and filing requirements in the same manner as they  
21 apply to other forms of government in ~~Oklahoma~~ this state;

22           10. Determine vacancies of the board of directors, fill  
23 vacancies, and conduct board elections in the event of a vacancy on  
24 the board of directors;

25

1 11. Develop bylaws for the due and orderly administration of  
2 the affairs of the board of directors and for its responsibilities  
3 specified pursuant to this chapter, and may compel the attendance of  
4 absent members in the manner and under penalties as the board may  
5 prescribe; and

6 12. Do any and all other things necessary and proper in the  
7 management and operation of the district for the purpose of  
8 protecting property within its boundaries from fire.

9 B. A fire protection district, created pursuant to ~~this chapter~~  
10 Section 901.1 et seq. of this title, shall be deemed a political  
11 subdivision of this state. The board may submit an application to  
12 include the firefighters of the district in the Oklahoma  
13 Firefighters Pension and Retirement System. The application for  
14 affiliation shall be submitted in accordance with subsection A of  
15 Section 49-105.2 of Title 11 of the Oklahoma Statutes.

16 C. The ~~Board of Directors~~ board of directors may acquire a  
17 certification or license to operate an emergency medical services  
18 agency from the State Department of Health or contract for services  
19 with a certified or licensed emergency medical service agency. The  
20 district's emergency medical service agency may respond outside of  
21 the district boundaries~~7,~~ provided~~7,~~ that the political subdivisions  
22 having jurisdiction over the area provide to the Department proper  
23 documentation of their support.

1        D. The board of directors may adopt any or all portions of the  
2 Ambulance Service Districts Act, as outlined in Section 4 of this  
3 act.

4        SECTION 2.        AMENDATORY        19 O.S. 2021, Section 901.19, is  
5 amended to read as follows:

6        Section 901.19. A. Each year the board shall levy an  
7 assessment sufficient to raise the annual interest on the  
8 outstanding bonds or other evidences of indebtedness, and, in  
9 addition thereto, an amount equal to the amount of the bonds to be  
10 retired in ~~said~~ such year or the installment of principal to be  
11 amortized during ~~said~~ such year.

12        B. 1. Except as otherwise provided by this subsection, the  
13 board shall also levy an annual assessment sufficient to care for  
14 the cost of operation of the district and the maintenance of the  
15 fire department and its equipment, and for payment of salaries of  
16 the officers and employees of the district, provided, that no such  
17 annual assessment for operation, maintenance, and salaries shall  
18 exceed seven (7) mills on the dollar of assessed value of the  
19 property in the district.

20        2. The board may levy an assessment over seven (7) mills ~~but~~  
21 ~~not to exceed ten (10) mills~~ with allowed increases of no more than  
22 three (3) mills per ballot measure for fire protection and other  
23 essential services provided by the fire protection district upon  
24 approval for such at an election held at such time and in such

1 manner as provided by Section 901.5 of this title for election of  
2 board members.

3 3. The board may levy an assessment starting at seven (7) mills  
4 with allowed increases of no more than three (3) mills per ballot  
5 measure in order to form an ambulance service district upon approval  
6 of such at an election held at such time and in such manner as  
7 provided by Section 901.5 of this title for election of board  
8 members.

9 4. If a county approves an exemption of household goods of the  
10 heads of families and livestock employed in support of the family  
11 pursuant to the provisions of subsection ~~(b)~~ B of Section 6 of  
12 Article X of the Oklahoma Constitution, the millage rate of any levy  
13 authorized by this section for the property located in a fire  
14 protection district which is in such county shall be adjusted by the  
15 millage adjustment factor set forth in subsection (b) of Section 8A  
16 of Article X of the Oklahoma Constitution.

17 C. All assessments levied under the authority of Sections 901.1  
18 through 901.50 of this title, shall be a lien against the tract of  
19 land on which they have been levied, until paid, and ~~said~~ such lien  
20 shall be coequal with the lien of ad valorem and other taxes,  
21 including special assessments, and prior and superior to all other  
22 liens.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 1210.1 of Title 19, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. Should a fire protection district, as established under the  
5 provisions of Section 901.1 et seq. of Title 19 of the Oklahoma  
6 Statutes, adopt any or all of the provisions of the Ambulance  
7 Service Districts Act, such district may levy millage as needed for  
8 the formation and continued operation and expenses of the ambulance  
9 service district pursuant to Section 901.19 of Title 19 of the  
10 Oklahoma Statutes.

11 B. An existing fire protection district, as established under  
12 the provisions of Section 901.1 et seq. of Title 19 of the Oklahoma  
13 Statutes, may adopt any or all portions of the Ambulance Service  
14 Districts Act by resolution for its district boundaries pursuant to  
15 Section 901.7 of Title 19 of the Oklahoma Statutes for the purpose  
16 of forming an ambulance service district.

17 C. The board of directors of such fire protection district  
18 shall serve as the governing body of the ambulance service district,  
19 according to the provisions of Section 1208 of Title 19 of the  
20 Oklahoma Statutes.

21 D. Initial millage funding and increases for continued  
22 operations and expenses of the ambulance service district shall be  
23 approved by a simple majority vote of the citizens within the  
24

1 district according to the provisions of Section 901.19 of Title 19  
2 of the Oklahoma Statutes.

3 SECTION 4. This act shall become effective November 1, 2024.

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