

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1052

By: Kelley

6 AS INTRODUCED

7 An Act relating to fire departments; amending 11 O.S.  
8 2021, Section 29-102, which relates to activity  
9 reports from city fire departments; directing that  
10 reports utilize the National Emergency Response  
11 Information System; directing reports to be completed  
12 within forty-eight hours of incident; directing  
13 certain charitable organizations to submit reports  
14 utilizing the National Emergency Response Information  
15 System; providing report contents; requiring reports  
to be submitted within forty-eight hours of incident;  
amending 19 O.S. 2021, Section 901.7a, which relates  
to activity reports from fire protection districts;  
directing fire chief to utilize the National  
Emergency Response Information System; requiring  
reports be completed within forty-eight hours of  
incident; providing for codification; and providing  
an effective date.

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

19 SECTION 1. AMENDATORY 11 O.S. 2021, Section 29-102, is  
20 amended to read as follows:

21 Section 29-102. All cities having a paid fire department shall  
22 have one full-time fire chief who shall supervise and administer the  
23 fire department in accordance with the policies and procedures  
24 prescribed by the governing body or by the city manager. The fire

1 department shall be under the direction and control of the fire  
2 chief who shall not serve as fire chief and also as police chief,  
3 city manager, mayor or any other position that impairs the ability  
4 to perform the duties of a fire chief. The fire chief, whether  
5 permanent or interim, of any paid municipal fire department shall  
6 have had at least three (3) years' actual experience as a paid fire  
7 fighter before assuming the position of fire chief. It shall be the  
8 duty of the fire chief to file the appropriate activity ~~report forms~~  
9 reports utilizing the National Emergency Response Information System  
10 (NERIS) with the Office of the State Fire Marshal in Oklahoma City  
11 ~~on an annual basis.~~ The activity report forms ~~shall be designed by~~  
12 ~~the State Fire Marshal and~~ shall include, but not be limited to, the  
13 amount of property and vehicle fire loss, types of fires,  
14 inspections and investigations that occurred. The report shall  
15 include notification of all fire-related civilian deaths and  
16 injuries in the respective jurisdiction and of fire fighter deaths  
17 in the line of duty and of fire fighter injuries in the line of duty  
18 requiring the services of a hospital or physician or both and these  
19 fire-related burn injuries and death reports will be completed  
20 within forty-eight (48) hours of the incident.

21 SECTION 2. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 595 of Title 18, unless there is  
23 created a duplication in numbering, reads as follows:  
24

1        Any charitable corporation formed in an unincorporated area for  
2 the purpose of providing either a volunteer or a full-time fire  
3 department, such as mentioned in Section 592 of Title 18 of the  
4 Oklahoma Statutes, shall be required to file the appropriate  
5 activity reports utilizing the National Emergency Response  
6 Information System (NERIS) with the Office of the State Fire Marshal  
7 in Oklahoma City. The activity report forms shall include, but not  
8 be limited to, the amount of property and vehicle fire loss, types  
9 of fires, inspections and investigations. The report shall include  
10 notification of all fire-related civilian deaths and injuries in the  
11 respective jurisdiction and of firefighter deaths in the line of  
12 duty and of firefighter injuries in the line of duty requiring the  
13 services of a hospital or physician or both and these fire-related  
14 burn injuries and death reports will be completed within forty-eight  
15 (48) hours of the incident.

16        SECTION 3.        AMENDATORY        19 O.S. 2021, Section 901.7a, is  
17 amended to read as follows:

18        Section 901.7a. All Fire Protection Districts having more than  
19 two full-time paid firefighters shall have one full-time fire chief  
20 who shall supervise and administer the fire protection district in  
21 accordance with the policies and procedures prescribed by the board  
22 of directors. The fire protection district shall be under the  
23 direction and control of the fire chief. The fire chief, whether  
24 permanent or interim, of any paid or combination fire protection

1     district shall have had at least three (3) years actual experience  
2     as a paid firefighter before assuming the position of fire chief.  
3     During the initial transition from a volunteer fire protection  
4     district to one having more than two full-time firefighters, the  
5     paid fire chief shall have had at least three (3) years of  
6     experience as a paid firefighter or at least five (5) years of  
7     experience as a volunteer fire chief officer with that department  
8     before assuming the position of paid fire chief. The board may add  
9     additional requirements to the position as necessary.

10    1. The fire chief:

- 11      a. shall be at the head of the department, subject to the  
12               laws of the State of Oklahoma, rules of the board of  
13               directors and the rules and regulations herein  
14               adopted,
- 15      b. shall be held responsible for the general condition  
16               and efficient operation of the department, the  
17               training of members and the performance of all other  
18               duties imposed upon him or her by law or the board of  
19               directors,
- 20      c. may inspect or cause to be inspected by members of the  
21               department, the fire hydrants, cisterns and other  
22               sources of water supply at least twice a year,
- 23      d. shall maintain a library or file of publications on  
24               fire prevention and fire protection and shall make use

1                   of the library or file to the best advantage of all  
2                   members,

3                   e. shall make every effort to attend all fires and direct  
4                   the officers and members of the fire department in the  
5                   performance of their duties,

6                   f. shall see that the citizens are kept informed on fire  
7                   hazards within the boundaries of the department and on  
8                   the activities of the department,

9                   g. shall see that each fire is carefully investigated to  
10                  determine its cause, and in the case of suspicion of  
11                  incendiaryism shall notify proper authorities. The  
12                  fire chief shall secure and preserve all possible  
13                  evidence for future use in the case of a suspicious  
14                  incendiaryism, and

15                  h. shall file the appropriate activity ~~report forms~~  
16                  reports utilizing the National Emergency Response  
17                  Information System (NERIS) with the Office of the  
18                  State Fire Marshal in Oklahoma City ~~on an annual~~  
19                  basis. The activity report forms ~~shall be designed by~~  
20                  ~~the State Fire Marshal and~~ shall include, but not be  
21                  limited to, the amount of property and vehicle fire  
22                  loss, types of fires, inspections and investigations.  
23                  The report shall include notification of all fire-  
24                  related civilian deaths and injuries in the respective

jurisdiction and of firefighter deaths in the line of duty and of firefighter injuries in the line of duty requiring the services of a hospital or physician or both and these fire-related burn injuries and death reports will be completed within forty-eight (48) hours of the incident.

2. Assistant fire chief. In the absence of the fire chief, the assistant fire chief on duty shall command the department and be held responsible therefore in all respects with the full powers and responsibilities of the fire chief.

3. Company officers. The company officers shall be selected upon their ability to meet the following requirements:

- a. knowledge of firefighting,
- b. leadership ability, and
- c. knowledge of firefighting equipment.

SECTION 4. This act shall become effective November 1, 2025.

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