

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1786

BY: HEFNER of the HOUSE

and

EASLEY of the SENATE

COMMITTEE SUBSTITUTE

( VETERANS - AMENDING 72 O.S. 1991, SECTION 67.13a -  
REPEALING 72 O.S. 1991, SECTION 224 - CODIFICATION -  
EMERGENCY )

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 50.32 of Title 72, unless there is created a duplication in numbering, reads as follows:

A. As used in the Oklahoma Statutes, unless otherwise specified or defined by law, "veteran", "war veteran" or "ex-service person" means an honorably discharged person who served on active duty in the Armed Forces of the United States during any of the periods of war or conflict specified as follows:

1. World War I - April 6, 1917 through November 11, 1918, both dates inclusive;

2. World War II - December 7, 1941 through December 31, 1946, both dates inclusive;

3. Korean Conflict - June 27, 1950 through January 31, 1955, both dates inclusive;

4. Vietnam Conflict - August 5, 1964 through May 7, 1975, both dates inclusive;

5. Desert Storm - August 1, 1990, through a date to be prescribed and established by the United States Congress; and

6. Any war, conflict, campaign, expedition or other action on dates as prescribed and established by the United States Congress.

B. For the purpose of establishing eligibility for benefits administered by the Oklahoma War Veterans Commission through the Oklahoma Department of Veterans Affairs, a veteran, war veteran or ex-service person shall have served:

1. On active duty in the Armed Forces of the United States for at least ninety (90) days during at least one of the periods of war or conflict as specified in subsection A of this section, except when discharged due to or as a result of a service-connected disability as established by the United States Department of Veterans Affairs; or

2. In the Armed Forces of the United States for a period not less than ninety (90) days and such period began or ended during a period of war or conflict as specified in subsection A of this section; or

3. In the Armed Forces of the United States for an aggregate of at least ninety (90) days during two or more separate periods of war or conflict as specified in subsection A of this section.

SECTION 2. AMENDATORY 72 O.S. 1991, Section 67.13a, is amended to read as follows:

Section 67.13a The words "war veterans" ~~used in Section 67.13 of this title~~ shall be construed to mean such honorably discharged persons as:

(a) served in the Armed Forces of the United States at any time during the period from April 6, 1917, to November 11, 1918, both dates inclusive, or

(b) served in the Armed Forces of the United States as members of the 45th Division at any time during the period from September 16, 1940, to December 7, 1941, both dates inclusive, or

(c) served in the Armed Forces of the United States at any time during the period from December 7, 1941, to December 31, 1946, both dates inclusive, or

(d) served in the Armed Forces of the United States at any time during the period from June 27, 1950, to January 31, 1955, both dates inclusive, or

(e) served for a period of ninety (90) days or more, unless discharged from active duty for a service-connected disability, in the Armed Forces of the United States during the period of time in which the United States participated in a war, campaign or battle, but excluding any person who shall have served on active duty for training only, unless discharged from active duty for service-connected disability, or

(f) served in the Armed Forces of the United States in a combat zone or in the immediate supporting area of the combat zone ~~as certified by the War Veterans Commission of Oklahoma,~~ prior to August 5, 1964, or

(g) served in the Armed Forces of the United States at any time during the period which began on August 5, 1964, and ended on May 7, 1975; except that such period shall be deemed to have ended on December 31, 1976, when determining eligibility for education and training benefits, or

(h) served in the Armed Forces of the United States at any time during the period which began on August 1, 1990, and ended on ~~December 31, 1991~~ a date prescribed and established by the United States Congress, excluding any person who shall have served on active duty for training only, unless discharged from active duty for service-connected disability.

The term "war veterans" shall include only those persons who shall have served during the times or in the areas prescribed hereinabove, and those persons who were awarded service medals, as authorized by the United States Department of Defense as reflected in the veteran's Defense Department Form 214, related to the Vietnam Conflict who served prior to August 5, 1964. Any honorably discharged war veteran of any of the Armed Forces of the United States shall be entitled to such tax exemptions to include but not be limited to tax-exempt veterans' benefits as provided in subsection (1), Section 2405 of Title 68 of the Oklahoma Statutes, special permits and veterans' preferences for state employment, provided, that any person who shall have served on active duty for training purposes only shall not be entitled to any such tax exemptions, special permits or veterans' preferences.

War veterans, as defined above, shall receive maximum benefits available for each year of creditable service, not to exceed five (5) years, for active military service for retirement benefits in the retirement systems within the State of Oklahoma; however, this provision shall apply to the Oklahoma Employment Security Commission only if approved by the federal funding source of the Oklahoma Security Commission. The provisions of this act shall include military retirees, whose retirement was based only on active service, that have been rated as having twenty percent (20%) or greater service-connected disability by the Veterans Administration or the Armed Forces of the United States.

SECTION 3. REPEALER 72 O.S. 1991, Section 224, is hereby repealed.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-2160

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