

ENGROSSED HOUSE  
BILL NO. 1198

BY: PAULK and BASTIN of the  
HOUSE

and

HORNER and CAPPS of the  
SENATE

AN ACT RELATING TO STATE GOVERNMENT; REQUIRING THE  
ADMINISTRATOR OF THE OFFICE OF PERSONNEL MANAGEMENT  
TO DEVELOP RULES CONCERNING CERTAIN PROMOTION  
PREFERENCES; PROVIDING FOR SENIORITY IN CERTAIN  
RATING AND SCORING SYSTEMS; PROVIDING AN EFFECTIVE  
DATE; AND DECLARING AN 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 840.15A of Title 74, unless  
there is created a duplication in numbering, reads as follows:

A. The Administrator of the Office of Personnel Management  
shall develop rules pertaining to promotion that give preference to  
the agency employed applicants over the hiring of an applicant  
outside of the agency:

1. when a position in an agency is open and the merit, ability  
and capacity of the agency employed applicant is relatively equal to  
that of applicants outside of the agency; and

2. when a position in an agency is open and there are two or  
more agency employed applicants, the agency employed applicant with

seniority within the agency when merit, ability and capacity is relatively equal among applicants.

B. In the event an agency uses a rating or scoring system within the agency for employee advancement, seniority shall be considered at least equal to any other consideration in the rating or scoring system.

SECTION 2. This act shall become effective July 1, 1991.

SECTION 3. 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.

Passed the House of Representatives the 26th day of February, 1991.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1991.

President of the Senate