ENROLLED SENATE
BILL NO. 482

BY: FORD, WRIGHT, RUBOTTOM, FAIR, PIERCE, SNYDER, GUSTAFSON, SMITH, FISHER and HENDRICK of the SENATE

and

COZORT, ADAIR, APPLE, BASTIN, BATES, BEGLEY, BENSON, BOECKMAN, BOYD, BRYANT, CAMPBELL, COLEMAN, COMBS, COTNER, COX, CROCKER, CULVER, DAVIS, DUNEGAN, DUNLAP, FALLIN, FERGUSON, GATES, GISH, GLOVER, GRAVES, GREENWOOD, GRIESER, HAGER, HAMILTON (James), HAMILTON (Jeff), HEATON, HEFNER, HENSHAW, HILLIARD, HOLT, HOWARD, HUDSON, HUTCHCROFT, ISAAC, ISTOOK, JOHNSON (Glen), JOHNSON (Rob), KEY, KINNAMON, KOUBA, LARASON, LEIST, LESTER, LITTLEFIELD, LUCAS, MADDOX (Jim), MADDUX (Elmer), MANAR, MASS, MATLOCK, MAXEY, McCORKELL, MITCHELL, MONKS, MONSON, NIEMI, PAULK, PELTIER, PILGRIM, POPE, REESE, RHOADS (Karroll), RHODES (Dusty), RICE, ROACH, ROBERTS (Larry), ROBERTS (Walt), ROSS, SADLER, SATTERFIELD, SEIKEL, SETTLE, SMITH (Bill), SMITH (Dale), STANLEY, STEIDLEY, STITES, STOTTLEMYRE, SULLIVAN, TAYLOR, THOMAS, THOMPSON, TODD, TYLER, VAUGHN (George), VAUGHN (Ray), VEITCH, VOSKUHL, WEAVER, WEBB, WEESE, WIDENER, WILLIAMS, WORTHEN and YORK of the HOUSE

AN ACT RELATING TO SOLDIERS AND SAILORS; AMENDING 72 O.S. 1981, SECTIONS 50.21 AND 67.13a, AS LAST AMENDED BY SECTION 1 OF ENROLLED SENATE BILL NO. 503 OF THE 1ST SESSION OF THE 43RD OKLAHOMA LEGISLATURE, WHICH RELATES TO WAR VETERANS; MODIFYING QUALIFICATION; MODIFYING DEFINITION; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 72 O.S. 1981, Section 50.21, is amended to read as follows:

Section 50.21 Any person having the following qualifications is hereby authorized to apply for, receive, and display a certain badge or medal, to be known as "The Oklahoma Cross of Valor":

(1) Was a resident of Oklahoma at the time of entering the military service of the United States;

(2) The military service referred to in (1) above, was performed during either World War II, the Korean Conflict or the Republic of Vietnam Conflict, or during any period of time in which the United States participated in a war, campaign or battle;

(3) Was made and officially listed as captive by the enemy during the service mentioned in (2) above; and

(4) Was honorably discharged from the military service.

SECTION 2. AMENDATORY 72 O.S. 1981, Section 67.13a, as last amended by Section 1 of Enrolled Senate Bill No. 503 of the 1st Session of the 43rd Oklahoma Legislature, 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, 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. 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 Senate the 6th day of May, 1991.

President of the Senate

Passed the House of Representatives the 13th day of May, 1991.

Speaker of the House of Representatives