

ENROLLED SENATE
BILL NO. 32

By: Stipe and Herbert of the
Senate

and

Glover, Monks, Adair,
Cotner and Roberts of the
House

An Act relating to state government and disabled veterans; amending 72 O.S. 1991, Section 403, which relates to probationary periods, and 74 O.S. 1991, Section 840.20, which relates to certification to appointing authority; removing certain exception to length of probationary period; granting authority for certain persons to modify probationary period for special disabled veterans; requiring certain notification; and declaring an emergency.

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

SECTION 1. AMENDATORY 72 O.S. 1991, Section 403, is amended to read as follows:

Section 403. A. Oklahoma state agencies are hereby authorized to employ special disabled veterans who are legal residents of the state in competitive and noncompetitive jobs. Such veterans shall be exempt from entrance examinations and hiring procedures administered by the Office of Personnel Management pursuant to Sections 840.19 and 840.20 of Title 74 of the Oklahoma Statutes.

B. Special disabled veterans hired pursuant to subsection A of this section shall be appointed for a probationary period of ~~one (1) year~~ six (6) months, except that the appointing authority may extend a probationary period not to exceed a total of nine (9) months for an individual, provided, however, that the disabled veteran and the Administrator of the Office of Personnel Management shall be notified in writing as to such action and the reason therefor. At the end of the probationary period and if the work of said veterans is satisfactorily performed, the veterans shall acquire permanent status.

C. Upon acquiring permanent status, special disabled veterans shall be subject to the rules and regulations of the Office of Personnel Management.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 840.20, is amended to read as follows:

Section 840.20 A. Based upon the results of competitive entrance examinations and registers, as provided by this act, the Administrator of the Office of Personnel Management shall certify to the appointing authority the names of the ten persons receiving the highest grade or score in said examinations plus all eligible applicants whose grade or score is tied with the lowest ranking of those so eligible. In filling vacant positions, the appointing authority shall select any one of the persons whose names have been

so certified and may give preference in all cases to persons who have resided in this state for at least one (1) year prior to the date of the examination. Provided, however, that any appointing authority authorized to employ persons who are not citizens of the United States, pursuant to Section 255 of this title, may request the Office to certify only the names of persons who are citizens of the United States in carrying out the provisions of this section; and such appointing authority may select any person so certified to the Administrator to fill such vacant positions even though a noncitizen may have received a higher grade on the examination. Provided, further, that any appointing authority may select special disabled veterans considered for employment pursuant to Sections 401 through 404 of Title 72 of the Oklahoma Statutes.

B. Every person, except for ~~special disabled veterans who shall be appointed for probationary periods of one (1) year pursuant to subsection B of Section 403 of Title 72 of the Oklahoma Statutes~~ and agents employed by the Alcoholic Beverage Laws Enforcement Commission who shall be appointed for probationary periods of one (1) year, upon initial appointment under the classified service, shall be appointed for a probationary period of six (6) months, except that the appointing authority may extend a probationary period, not to exceed a total of nine (9) months for an individual, provided, however, that the employee and the Administrator of the Office of Personnel Management shall be notified in writing as to such action and the reason therefor. The probationary appointment of any person may be terminated at any time during the probationary period without the right of appeal. At the close of the probationary period, as herein provided, said person shall acquire a permanent status under the conditions prescribed in this act.

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 22nd day of February, 1993.

President of the Senate

Passed the House of Representatives the 12th day of April, 1993.

Speaker of the House of Representatives

