

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1111

By: Snyder of the Senate

and

Kirby of the House

COMMITTEE SUBSTITUTE

An Act relating to military service; amending 72 O.S. 1991, Section 67.13a, as amended by Section 1, Chapter 187, O.S.L. 1997 (72 O.S. Supp. 1997, Section 67.13a), which relates to definition of war veterans; modifying such definition; creating additional dates for allowable military service credit; limiting use of certain creditable service; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 72 O.S. 1991, Section 67.13a, as amended by Section 1, Chapter 187, O.S.L. 1997 (72 O.S. Supp. 1997, 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 served:

1. 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;

2. 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;

3. 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;

4. 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;

5. 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;

6. In the Armed Forces of the United States at any time during the period which began on:

a. February 28, 1961, and ended on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and

b. August 5, 1964, and ended on May 7, 1975, in all other cases,

except that such period shall be deemed to have ended on December 31, 1976, when determining eligibility for education and training benefits; or

7. In the Armed Forces of the United States on or after August 1, 1990, ~~and ended on December 31, 1991,~~ during the period of time in which the United States participates in a war, military or naval campaign, or expedition, 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 in this section, 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 paragraph 12 of Section 2887 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 in this section, 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.

Members of the retirement systems of Oklahoma retiring on or after July 1, 1998, who served in the Armed Forces of the United States during the following periods and who were honorably discharged, shall receive maximum benefits available for each year of creditable service, not to exceed five (5) years, as follows:

From the beginning of the Selective Training and Service Act of 1940, September 16, 1940, through its expiration on March 31, 1947;
and

From the beginning of the Selective Service Act of 1948, June 24, 1948, and through the end of the "Draft", June 30, 1973.

However, the total creditable service used for retirement credit under this section shall not exceed five (5) years.

SECTION 2. This act shall become effective July 1, 1998.

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.

46-2-11230

MCD