STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2680 By: Deutschendorf

AS INTRODUCED

An Act relating to state government; amending Section 1, House Joint Resolution No. 1035, p. 2834, O.S.L. 1997, as amended by Section 24, Chapter 410, O.S.L. 1997 (74 O.S. Supp. 1997, Section 8201), which relates to the Tulsa Race Riot Commission; modifying due date of report; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, House Joint Resolution No. 1035, p. 2834, O.S.L. 1997, as amended by Section 24, Chapter 410, O.S.L. 1997 (74 O.S. Supp. 1997, Section 8201), is amended to read as follows:

Section 8201. A. There is hereby created the 1921 Tulsa Race Riot Commission. The Commission shall consist of eleven (11) members as follows:

1. From a list of five nominees submitted by the Speaker of the House of Representatives, the Governor shall appoint three members. If a member appointed pursuant to this paragraph resigns or is otherwise unable to serve, the Speaker of the House of Representatives shall submit a list of an additional three nominees

for the vacant position from which the Governor shall select a successor;

2. From a list of five nominees submitted by the President Pro Tempore of the Senate, the Governor shall appoint three members. If a member appointed pursuant to this paragraph resigns or is otherwise unable to serve, the President Pro Tempore of the Senate shall submit a list of an additional three nominees for the vacant position from which the Governor shall select a successor;

3. The Director of the Oklahoma Human Rights Commission shall serve ex officio, but shall be a voting member of the Commission. The Director shall be authorized to appoint a designee to attend meetings and to vote on matters considered by the Commission;

4. The Director of the Oklahoma Historical Society shall serve ex officio, but shall be a voting member of the Commission. The Director shall be authorized to appoint a designee to attend meetings and to vote on matters considered by the Commission; and

5. From a list of five nominees submitted by the City Council of the City of Tulsa, the Mayor of the City of Tulsa shall appoint three persons, one of whom must be a survivor of the Tulsa Race Riot incident, and two of whom must be residents in the area of the ward or equivalent political subdivision for the Tulsa City Council known as "Greenwood", also historically identified as "Black Wall Street of America".

B. Each person appointed to the Commission shall serve at the pleasure of the appointing authority. No person appointed to any of the positions constituting the Commission who is, at the time of appointment to the Commission or subsequent to the date of appointment, a public official or officer shall be deemed to be serving in a dual capacity and such person shall be specifically exempt from the provisions of Section 6 of Title 51 of the Oklahoma Statutes. The Commission shall conduct its initial meeting not later than ninety (90) days after the effective date of this act.

C. The Commission shall be authorized to conduct its meetings as often as may be required in order to perform the duties imposed upon it by law. A quorum of the Commission shall be required in order for any official action of the Commission.

D. The Commission shall undertake a study to develop a historical record of the 1921 Tulsa Race Riot including the identification of persons who:

1. Can provide adequate proof to the Commission that the person was an actual resident of the Greenwood area or community of the City of Tulsa on or about May 31, 1921, or June 1, 1921; or

2. Can demonstrate to the satisfaction of the members of the Commission that the person sustained an identifiable loss to their person, personal relations, real property, personal property or other loss as a result of tortious or criminal conduct, whether or not the conduct was ever adjudicated, occurring during the period beginning on or about May 31, 1921, and ending not later than June 30, 1921, resulting from the activity commonly described as the 1921 Tulsa Race Riot.

E. The Commission shall be authorized to gather information, identify and interview witnesses or other persons with knowledge of relevant events and to preserve testimony and records obtained, to examine and copy documents, instruments and writings, to obtain or examine physical objects or to reproduce, to the extent practical, objects or devices relevant to the inquiry by the Commission, and to otherwise take such actions as may be necessary or proper in the task of accurately identifying persons, places or objects having historical significance for Commission purposes.

F. The Commission shall produce a written report of its findings and recommendations and shall submit the report to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Mayor and each member of the City Council of the City of Tulsa not later than ~~January 5, 1999~~ February

7, 2000. The report may contain specific recommendations regarding whether or not reparations can or should be made and the appropriate methods to achieve the recommendations made in the final report.

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

46-2-8800 MAH