

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1562

By: Martin

AS INTRODUCED

An Act relating to crimes and punishments and state government; amending 21 O.S. 2001, Section 481, which relates to unlawful employment of relatives; prohibiting the hire of certain relatives for certain positions; clarifying language; prohibiting the appointment, election or employment of certain related persons to certain boards and commissions; expressing purpose of certain prohibition; amending 74 O.S. 2001, Section 18f, which relates to investigations by the Attorney General; clarifying language; making gender neutral; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 481, is amended to read as follows:

Section 481. A. It shall be unlawful for any executive, legislative, ministerial or judicial officer to hire, appoint or vote for the appointment of any person related to ~~him~~ such person by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department of the state, district, county, city or municipal government of which such executive, legislative, ministerial or judicial officer is a member, when the salary, wages, pay or compensation of such appointee is to be paid out of the public funds or fees of such office. Provided, however, that for the purposes of this ~~chapter~~ section, a divorce of husband and wife shall terminate all relationship by affinity that existed by reason of the marriage, regardless of whether the marriage has resulted in issue who are still living.

B. The provisions of this section shall not apply to any situation covered by Section 5-113 of Title 70 of the Oklahoma Statutes.

C. No person shall be eligible to serve on or be employed by any board or commission of this state or any board or commission receiving federal funds within this state if the person is related within the third degree by affinity or consanguinity to any other member of the board or commission to which such ineligible person is elected, appointed or employed, it being the purpose of this section to prohibit persons who are related within the third degree of affinity or consanguinity from serving simultaneously on the same board or commission of this state or where federal funds are received for the benefit of this state.

SECTION 2. AMENDATORY 74 O.S. 2001, Section 18f, is amended to read as follows:

Section 18f. The Attorney General shall have authority to conduct investigations and it shall be the duty of the Department of Public Safety of the State of Oklahoma, when so directed by the Governor of the State of Oklahoma, to furnish ~~him~~ the Attorney General with investigators from the personnel of ~~said the~~ Department, to assist in such investigations and to assemble evidence for the Attorney General in any cases to be tried or in any matters to be investigated. Likewise, it shall be the duty of the State Auditor and Inspector, upon request of the Attorney General, to furnish ~~him~~ the Attorney General with experienced auditors and/or accountants from the personnel of ~~his department~~ the auditor's office to make audits and check records for the Attorney General in any case to be tried or in any matter being investigated by the Attorney General. The cost of such services shall be borne by the entity audited.

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.

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