

ENROLLED SENATE  
BILL NO. 1227

By: Milacek of the Senate

and

Roggow and Covey of the  
House

An Act relating to the Oklahoma Personnel Act;  
amending 74 O.S. 2001, Section 840-4.14, which  
relates to preferences; providing certain preference  
to non-war veterans; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 840-4.14, is  
amended to read as follows:

Section 840-4.14 A. In establishing employment lists of  
eligible persons for competitive and noncompetitive appointment,  
certain preferences shall be allowed for honorably discharged  
veterans as defined by Section 67.13a and Section 67.13b of Title 72  
of the Oklahoma Statutes. In determination of the register rank:

1. Five points shall be added to the final grade of any person  
who has passed the examination and has submitted proof of having  
status as a veteran or unremarried surviving spouse of a veteran;

2. Five points shall be added to the final grade of any person  
who has passed the examination and has submitted proof of having  
status as a spouse of a veteran who is unemployable due to a  
service-connected disability as certified by the Veterans  
Administration or agency of the Defense Department within six (6)  
months of date of application; and

3. Ten points shall be added to the final grade of any ~~war~~  
~~veteran as defined in Section 67.13a of Title 72 of the Oklahoma~~  
~~Statutes~~ who has passed the examination and has submitted proof of  
having a service-connected disability as certified by the Veterans  
Administration or agency of the Defense Department within six (6)  
months of date of application. Such veterans' names shall be placed  
at the top of the register in accordance with their numerical rating  
if in receipt of benefits payable at the rate of thirty percent  
(30%) or more and such veterans shall not be denied employment and  
passed over for other veterans or nonveterans, without showing  
cause. Acceptable cause shall include a reasonable expectation of  
the inability of the preferenced applicant to satisfactorily perform  
at the required level of the position and shall be reviewed in each  
instance by the Administrator of the Office of Personnel Management.

If the Administrator finds that acceptable cause for the denial of employment to the preferenced applicant does not exist, the appointing authority shall be required to hire the preferenced applicant. The position shall not be permanently filled until the Administrator has issued his findings.

B. War veterans, as defined by Section 67.13a of Title 72 of the Oklahoma Statutes, who have been awarded the Purple Heart or have a service-incurred disability rated by the Veterans Administration or a branch of the Armed Forces of the United States and who have been a resident of Oklahoma for at least one (1) year prior to the date of the examination, shall be authorized to open any closed register established by the Merit System of Personnel Administration.

C. Subsection A of this section shall not apply to special disabled veterans who are considered for employment under the provisions of Sections 401 through 404 of Title 72 of the Oklahoma Statutes. Provided, said veterans may elect instead to be considered for employment according to the procedures set out in this section.

SECTION 2. This act shall become effective November 1, 2004.

Passed the Senate the 3rd day of March, 2004.

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Presiding Officer of the Senate

Passed the House of Representatives the 5th day of April, 2004.

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Presiding Officer of the House  
of Representatives