

SB 1227

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THE STATE SENATE
Tuesday, February 17, 2004

Senate Bill No. 1227
As Amended

SENATE BILL NO. 1227 - By: MILACEK of the Senate and ROGGOW of the House.

[Oklahoma Personnel Act - preferences - non-war veterans - 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

1 Administration or agency of the Defense Department within six (6)
2 months of date of application; and

3 3. Ten points shall be added to the final grade of any ~~war~~
4 ~~veteran as defined in Section 67.13a of Title 72 of the Oklahoma~~
5 ~~Statutes~~ who has passed the examination and has submitted proof of
6 having a service-connected disability as certified by the Veterans
7 Administration or agency of the Defense Department within six (6)
8 months of date of application. Such veterans' names shall be placed
9 at the top of the register in accordance with their numerical rating
10 if in receipt of benefits payable at the rate of thirty percent
11 (30%) or more and such veterans shall not be denied employment and
12 passed over for other veterans or nonveterans, without showing
13 cause. Acceptable cause shall include a reasonable expectation of
14 the inability of the preferenced applicant to satisfactorily perform
15 at the required level of the position and shall be reviewed in each
16 instance by the Administrator of the Office of Personnel Management.
17 If the Administrator finds that acceptable cause for the denial of
18 employment to the preferenced applicant does not exist, the
19 appointing authority shall be required to hire the preferenced
20 applicant. The position shall not be permanently filled until the
21 Administrator has issued his findings.

22 B. War veterans, as defined by Section 67.13a of Title 72 of
23 the Oklahoma Statutes, who have been awarded the Purple Heart or

1 have a service-incurred disability rated by the Veterans
2 Administration or a branch of the Armed Forces of the United States
3 and who have been a resident of Oklahoma for at least one (1) year
4 prior to the date of the examination, shall be authorized to open
5 any closed register established by the Merit System of Personnel
6 Administration.

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-11-04 - DO
15 PASS, As Amended and Coauthored.