

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 24

By: Ford of the Senate

4 and

5 Sears of the House

6  
7  
8 AS INTRODUCED

9 An Act relating to officers; amending 51 O.S. 2001,  
10 Section 6, as last amended by Section 1, Chapter 170,  
O.S.L. 2007 (51 O.S. Supp. 2008, Section 6), which  
11 relates to office holding; adding certain exemption;  
and providing an effective date.

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

15 SECTION 1. AMENDATORY 51 O.S. 2001, Section 6, as last  
16 amended by Section 1, Chapter 170, O.S.L. 2007 (51 O.S. Supp. 2008,  
17 Section 6), is amended to read as follows:

18 Section 6. A. Except as may be otherwise provided, no person  
19 holding an office under the laws of the state and no deputy of any  
20 officer so holding any office shall, during the person's term of  
21 office, hold any other office or be the deputy of any officer  
22 holding any office, under the laws of the state. The provisions of  
23 this section shall not apply to:

- 24 1. Notaries public;

1        2. Members of the State Textbook Committee;

2        3. County free fair board members;

3        4. Municipal and county law enforcement officers serving in  
4 positions as law enforcement officers of both such governmental  
5 entities upon such terms and conditions as are mutually approved by  
6 resolutions adopted by the board of county commissioners and  
7 governing body of the municipality employing such officers;

8        5. Any person holding a county or municipal office or position,  
9 or membership on any public trust authority, who is a member of a  
10 board or commission that relates to federal, state, county or  
11 municipal government and is created by the United States Government,  
12 the State of Oklahoma or a political subdivision of the state,  
13 except where the duties of the offices or positions conflict;

14        6. Any member of a board of regents of any institution within  
15 The Oklahoma State System of Higher Education who is elected to a  
16 municipal governing body, so long as that member does not receive  
17 compensation for such services on the board other than reimbursement  
18 for necessary travel expenses pursuant to the provisions of the  
19 State Travel Reimbursement Act;

20        7. Any elected municipal officers and school board members who  
21 are appointed to a state board, commission, or similar entity if  
22 there is no compensation for such services other than reimbursement  
23 for necessary travel expenses pursuant to the provisions of the  
24 State Travel Reimbursement Act;

1       ~~7.~~ 8. Any trustee of a public trust, who is appointed as a  
2 trustee of a different public trust or any trustee of the Tulsa  
3 County Public Facilities Authority who may also be employed by the  
4 Department of Transportation;

5       ~~8.~~ 9. Law enforcement officers employed by municipal or county  
6 law enforcement departments or agencies, other than those law  
7 enforcement officers elected or appointed as sheriff, chief of  
8 police or some similar position in which they are the head of a  
9 county or municipal law enforcement agency, who are elected to local  
10 boards of education; provided, the provisions of this paragraph  
11 shall not prohibit any law enforcement officer employed by a  
12 municipality having a population of ten thousand (10,000) or fewer  
13 people from serving as a member of a local board of education;

14       ~~9.~~ 10. Any member of the Oklahoma Highway Patrol Division of  
15 the Department of Public Safety who is elected to a local board of  
16 education;

17       ~~10.~~ 11. Any District Supervisor, Assistant District Supervisor,  
18 Team Supervisor, Parole Officer 1 or Parole Officer 2 of the  
19 Department of Corrections who is elected or appointed to a city  
20 council;

21       ~~11.~~ 12. Any trustee or director of a rural electric  
22 cooperative, or port authority who is appointed or elected to a  
23 state, county or municipal board, commission or similar entity;

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1       ~~12.~~ 13. County employees who are elected as members of town or  
2 city councils;

3       ~~13.~~ 14. Municipal, county, state or tribal law enforcement or  
4 peace officers operating under cross-deputization agreements with an  
5 Indian tribe or branch of the federal government;

6       ~~14.~~ 15. Municipal or county law enforcement or peace officers  
7 serving in positions as campus police officers or campus public  
8 safety officers pursuant to the provisions of the Oklahoma Campus  
9 Security Act, upon such terms and conditions as are mutually  
10 approved by resolution adopted by the governing body of the  
11 municipality or county and the governing board of the institution of  
12 higher education;

13       ~~15.~~ 16. State law enforcement or peace officers serving in  
14 positions as campus police officers or campus public safety officers  
15 pursuant to the provisions of the Oklahoma Campus Security Act, upon  
16 such terms and conditions as are mutually approved by written  
17 agreement between the Commissioner of Public Safety and the  
18 governing board of the institution of higher education;

19       ~~16.~~ 17. Municipal and county law enforcement officers serving  
20 in positions as part-time rangers under the Oklahoma Tourism and  
21 Recreation Department;

22       ~~17.~~ 18. The Administrator of a Scenic Rivers Commission serving  
23 in the position of a park ranger under the Oklahoma Tourism and  
24 Recreation Department;

1       ~~18.~~ 19. Members of the University Hospitals Authority;

2       ~~19.~~ 20. Any person holding a state office or position who is a

3 reserve force deputy sheriff or a reserve municipal police officer;

4       ~~20.~~ 21. Any person holding a state office or position who

5 serves as a special assistant district attorney without

6 compensation;

7       ~~21.~~ 22. Any elected or appointed member of a local school board

8 who is a member of a municipal planning commission;

9       ~~22.~~ 23. Any elected or appointed member of a local school board

10 who is a member or an officer of a volunteer fire department;

11       ~~23.~~ 24. Directors or officers of a rural water district and

12 chiefs of municipal fire departments or rural fire districts who are

13 appointed or elected to an unsalaried office in a state, county,

14 municipal, school, or technology center school board, commission, or

15 similar entity, except where the duties of the office would create a

16 conflict of interest;

17       ~~24.~~ 25. Any person who is a dispatcher or confinement officer

18 at a municipal or county jail who is a noncompensated reserve

19 municipal police officer or a reserve deputy sheriff;

20       ~~25.~~ 26. Any person who is an assistant district attorney

21 serving as a municipal judge or prosecutor;

22       ~~26.~~ 27. Any park ranger under the Oklahoma Tourism and

23 Recreation Department who is elected or appointed to a local board

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1 of education or to a municipal board, commission or similar entity;  
2 and

3 ~~27.~~ 28. Members of the Oklahoma State University Medical Center  
4 Authority or the Oklahoma State University Medical Trust.

5 The provisions of this section shall not prohibit any person  
6 holding an office under the laws of the state or any deputy of any  
7 officer so holding any office from serving upon the board of  
8 Oklahoma Futures or upon the board of directors of the Oklahoma  
9 Center for the Advancement of Science and Technology. The  
10 provisions of this section shall not prohibit a member of the board  
11 of directors of the Oklahoma Center for the Advancement of Science  
12 and Technology from serving upon the board of Oklahoma Futures.

13 B. Any salaries, emoluments or benefits that would otherwise be  
14 paid by the agency or political subdivision to a loaned employee or  
15 officer shall instead be paid to the regular employer of such  
16 employee. The loaned employee shall in turn be paid regular salary  
17 and benefits the same as if continuing regular employment with the  
18 permanent employer.

19 SECTION 2. This act shall become effective November 1, 2009.

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21 52-1-109 MD 3/6/2009 3:18:35 AM

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