

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 363

By: Shortey of the Senate

3 and

4 Christian of the House

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8 An Act relating to the State Fire Marshal; amending
74 O.S. 2001, Sections 320 and 324.20b, as last
9 amended by Section 4, Chapter 269, O.S.L. 2005 (74
10 O.S. Supp. 2010, Section 324.20b), which relate to
prohibitions on the State Fire Marshal and the State
11 Fire Marshal Revolving Fund; * * * and providing an
effective date.

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13 AUTHORS: Remove Christian as principal House Author and substitute
Osborn as principal House Author

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15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert

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17 "An Act relating to the State Fire Marshal; amending
74 O.S. 2001, Section 320, which relates to
18 prohibitions on the State Fire Marshal; prohibiting
the State Fire Marshal from engaging in business
19 that is a conflict of interest; providing statutory
reference; and providing an effective date.

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

23 SECTION 1. AMENDATORY 74 O.S. 2001, Section 320, is
24 amended to read as follows:

1 Section 320. The State Fire Marshal shall not engage in any
2 other business ~~and he and his assistant~~ that may be a conflict of
3 interest with duties of the State Fire Marshal. The State Fire
4 Marshal and the Assistant State Fire Marshal shall at all times be
5 ready for such duties as are required by ~~this act~~ Sections 314
6 through 326.11 of this title.

7 SECTION 2. This act shall become effective November 1, 2011."

8 Passed the House of Representatives the 20th day of April, 2011.

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Presiding Officer of the House of
Representatives

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Passed the Senate the ____ day of _____, 2011.

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Presiding Officer of the Senate

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7 An Act relating to the State Fire Marshal; amending
8 74 O.S. 2001, Sections 320 and 324.20b, as last
9 amended by Section 4, Chapter 269, O.S.L. 2005 (74
10 O.S. Supp. 2010, Section 324.20b), which relate to
11 prohibitions on the State Fire Marshal and the State
12 Fire Marshal Revolving Fund; prohibiting engaging in
13 business that is a conflict of interest; removing
14 monetary limit on the State Fire Marshal Revolving
15 Fund; and providing an effective date.

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

17 SECTION 3. AMENDATORY 74 O.S. 2001, Section 320, is
18 amended to read as follows:

19 Section 320. The State Fire Marshal shall not engage in any
20 other business ~~and he and his assistant~~ that may be a conflict of
21 interest with duties of the State Fire Marshal. The State Fire
22 Marshal and the Assistant State Fire Marshal shall at all times be
23 ready for such duties as are required by ~~this act~~ Sections 314
24 through 326.11 of this title.

SECTION 4. AMENDATORY 74 O.S. 2001, Section 324.20b, as
last amended by Section 4, Chapter 269, O.S.L. 2005 (74 O.S. Supp.
2010, Section 324.20b), is amended to read as follows:

1 Section 324.20b There is hereby created in the State Treasury a
2 revolving fund for the State Fire Marshal to be designated the
3 "State Fire Marshal Revolving Fund". The fund shall be a continuing
4 fund, not subject to fiscal year limitations, and shall consist of
5 monies received from the sale of surplus property, fees and receipts
6 collected pursuant to the Oklahoma Open Records Act, fines,
7 forfeitures, fees, charges, receipts, donations, gifts, bequests,
8 contributions, devises, interagency reimbursements, federal funds
9 unless otherwise provided by federal law or regulation, or any other
10 source. ~~The fund shall consist of no more than Five Hundred Fifty~~
11 ~~Thousand Dollars (\$550,000.00).~~ All monies accruing to the credit
12 of the fund are hereby appropriated and may be budgeted and expended
13 by the State Fire Marshal for authorized purposes. Expenditures
14 from the fund shall be made upon warrants issued by the State
15 Treasurer against claims filed as prescribed by law with the
16 Director of State Finance for approval and payment.

17 SECTION 5. This act shall become effective November 1, 2011.
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