

1 **SENATE FLOOR VERSION**

2 February 9, 2015

3 SENATE BILL NO. 235

By: Anderson of the Senate

4
5
6 An Act relating to nepotism; creating exception for
7 certain persons for consideration of promotions, wage
8 increases and lateral transfers; stating that certain
9 action is not a new appointment; amending 21 O.S.
10 2011, Section 481, which relates to unlawful
11 employment of relatives; providing reference to non-
12 applicability of act; making gender neutral;
13 providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 547.3 of Title 19, unless there
18 is created a duplication in numbering, reads as follows:

19 Any undersheriff or deputy sheriff who is related to the sheriff
20 by affinity within the third degree and held the position of
21 undersheriff or deputy sheriff prior to the election or appointment
22 of such related sheriff may be considered for promotion, wage
23 increase or lateral transfer during the time such related sheriff
24 serves in that position. Any such promotion, wage increase or
lateral transfer shall not constitute a new appointment.

1 SECTION 2. AMENDATORY 21 O.S. 2011, Section 481, is
2 amended to read as follows:

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

16 B. The provisions of this section shall not apply to any
17 situation covered by Section 5-113 of Title 70 of the Oklahoma
18 Statutes or Section 1 of this act.

19 SECTION 3. This act shall become effective November 1, 2015.

20 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
21 February 9, 2015 - DO PASS
22
23
24