

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1985

By: Hoskin and Inman of the
House

and

Burrage of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to state government; amending 74 O.S.
12 2011, Section 840-4.14, which relates to the Oklahoma
13 Personnel Act; modifying veteran hiring preference
14 requirements; and providing an effective date.

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

17 SECTION 1. AMENDATORY 74 O.S. 2011, Section 840-4.14, is
18 amended to read as follows:

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

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

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

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

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

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

19 D. In addition to the points added to the final grade of any
20 eligible veteran pursuant to subsection A of this section, any
21 veteran who meets the basic qualifications for a position shall be
22 interviewed in person in order to allow the veteran to demonstrate
23 any transferable skills acquired in military service.

SECTION 2. This act shall become effective November 1, 2012.

COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
03/05/2012 - DO PASS, As Amended and Coauthored.