

## SENATE FLOOR VERSION

April 9, 2012

As Amended

3 ENGROSSED HOUSE  
BILL NO. 1985

By: Hoskin, Inman, Roan,  
Sherrer, Reynolds, Bennett  
and Walker of the House

and

Burrage and Shortey of the  
Senate

[ state government - Oklahoma Personnel Act -  
modifying veteran hiring preference requirements -  
effective date ]

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

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

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

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

1       2. 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 spouse of a veteran who is unemployable due to a  
4 service-connected disability as certified by the Department of  
5 Veterans Administration Affairs or agency of the Defense Department  
6 within six (6) months of date of application; and

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

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

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

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

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

21       COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-4-12 - DO  
22 PASS, As Amended and Coauthored.

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