

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1817

By: Barrington

6 AS INTRODUCED

7 An Act relating to the Department of Public Safety;
8 amending 47 O.S. 2011, Section 2-310.1, as amended by
9 Section 173, Chapter 304, O.S.L. 2012 (47 O.S. Supp.
10 2013, Section 2-310.1), which relates to injury in
11 the line of duty; modifying requirements for illness
or injury; modifying time period for requesting
certain claim review; modifying payment and
reinstatement of certain sick and annual leave; and
providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-310.1, as
16 amended by Section 173, Chapter 304, O.S.L. 2012 (47 O.S. Supp.
17 2013, Section 2-310.1), is amended to read as follows:

18 Section 2-310.1. A. Whenever any member currently working in a
19 position identified by paragraph 6 of Section 2-300 of this title or
20 Section 2-314 of this title and enrolled in the Oklahoma Law
21 Enforcement Retirement System is injured in the line of duty, an
22 Injury Review Board consisting of one member to be appointed by the
23 member's employer, one member to be appointed by the Director of the
24 Office of Management and Enterprise Services and one member to be

1 appointed by the Governor shall convene to determine if the injured
2 member was actually injured in the line of duty and whether the
3 injured member should be granted leave because of the injury. The
4 Injury Review Board may, in its discretion, grant the injured member
5 leave when necessary, not to exceed one hundred sixty-five (165)
6 working days for the illness or injury.

7 B. For the purpose of this section, "illness or injury" shall
8 include any serious illness or serious injury caused by or
9 contracted during the performance of the member's ~~duty~~ unique job
10 activities. Every state agency which employs persons eligible for
11 membership in the Oklahoma Law Enforcement Retirement System shall
12 participate in the joint promulgation of a rule which shall set out
13 mutually agreeable guidelines for the categorization of an illness
14 or injury as serious. Upon promulgation of the rule, each of the
15 state agencies shall individually adopt the rule. The wording of
16 the rule, as adopted and as amended by the agencies from time to
17 time, shall remain in conformity for each of the state agencies.

18 C. The three-member Injury Review Board shall be convened
19 following a written request submitted by the injured member to the
20 injured member's employer. The employee's request shall be
21 submitted within three (3) years from the date of the injury. The
22 employer shall forward the request to the Director of the Office of
23 Management and Enterprise Services. The employer may submit the
24 request on behalf of an injured member. The Director's appointee

1 shall then convene and chair the Injury Review Board. The Injury
2 Review Board may request the injured member to submit to an
3 examination by a physician selected by the Board at the employer's
4 expense to assist the Board in making a decision. A decision to
5 grant or deny such paid leave shall be determined by concurrence in
6 writing of not less than two Injury Review Board members. If
7 granted, ~~said leave shall be paid~~ used annual, sick and shared leave
8 time shall be reinstated by the employing agency.

9 D. While such leave is being ~~paid~~ used, the employee shall
10 continue to accrue leave and service credit at the same rate as
11 before the illness or injury. The employee's portion of health,
12 dental, life and disability insurance premiums and the employee's
13 contribution to the Oklahoma Law Enforcement Retirement System shall
14 be deducted by the employing agency from the ~~paid~~ reinstated leave
15 and remitted to the appropriate agencies, in the same manner as
16 before the illness or injury.

17 SECTION 2. This act shall become effective November 1, 2014.

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