

# An Act

ENROLLED HOUSE  
BILL NO. 2634

By: Babinec and Ritze of the  
House

and

Fry of the Senate

An Act relating to public safety; amending 47 O.S. 2011, Section 2-102, which relates to the position of the Commissioner of Public Safety; allowing employee to return to previous position upon completion of duties as Commissioner; providing certain disqualifications for employee returning to service; and providing an effective date.

SUBJECT: Commissioner of Public Safety

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-102, is amended to read as follows:

Section 2-102. A. 1. The Department shall be under the control of an executive officer to be known as the "Commissioner of Public Safety", who shall be appointed by the Governor with the advice and consent of the Senate.

2. The Commissioner of Public Safety shall be a professional law enforcement officer with ten (10) years' experience in the field of law enforcement or with five (5) years' experience in the field of law enforcement and a graduate of a four-year college with a degree in law enforcement administration, law, criminology or a related science.

3. Any vacancy in the office of the Commissioner shall be filled in the same manner as the original appointment is made.

4. The Commissioner shall be allowed the actual and necessary expenses incurred in the performance of official duties of the Commissioner while away from the office.

B. The Commissioner of Public Safety, after appointment and before entering upon the discharge of duties, shall take and subscribe to the oath of office required by the Constitution. Bonding of the Commissioner of Public Safety and other employees of the Department will be provided under the provisions of Section 85.26 of Title 74 of the Oklahoma Statutes.

C. The Commissioner of Public Safety shall be eligible to participate in either the Oklahoma Public Employees Retirement System or in the Oklahoma Law Enforcement Retirement System and shall make an irrevocable election in writing to participate in one of the two retirement systems.

D. Any employee of the Department of Public Safety appointed to the position of Commissioner shall have the ability to return to the previous position of the employee without any loss of rights, privileges or benefits immediately upon completion of the duties as Commissioner, provided the employee is not otherwise disqualified due to disciplinary reasons, termination of employment or inability to effectively lead the agency.

SECTION 2. This act shall become effective November 1, 2018.

Passed the House of Representatives the 15th day of February,  
2018.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 16th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_