

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2634

By: Babinec and Ritze

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9 COMMITTEE SUBSTITUTE

10 An Act relating to public safety; amending 47 O.S.
11 2011, Section 2-102, which relates to the position of
12 the Commissioner of Public Safety; allowing employee
13 to return to previous position upon completion of
14 duties as Commissioner; providing certain
15 disqualifications for employee returning to service;
16 and providing an effective date.

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

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

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

24 2. The Commissioner of Public Safety shall be a professional
 law enforcement officer with ten (10) years' experience in the field

1 of law enforcement or with five (5) years' experience in the field
2 of law enforcement and a graduate of a four-year college with a
3 degree in law enforcement administration, law, criminology or a
4 related science.

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

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

10 B. The Commissioner of Public Safety, after appointment and
11 before entering upon the discharge of duties, shall take and
12 subscribe to the oath of office required by the Constitution.
13 Bonding of the Commissioner of Public Safety and other employees of
14 the Department will be provided under the provisions of Section
15 85.26 of Title 74 of the Oklahoma Statutes.

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

21 D. Any employee of the Department of Public Safety appointed to
22 the position of Commissioner shall have the ability to return to the
23 previous position of the employee without any loss of rights,
24 privileges or benefits immediately upon completion of the duties as

1 Commissioner, provided the employee is not otherwise disqualified
2 due to disciplinary reasons, termination of employment or inability
3 to effectively lead the agency.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/12/2018 -
7 DO PASS, As Amended and Coauthored.
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