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March 29, 2018

ENGROSSED 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.

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

1 of law enforcement and a graduate of a four-year college with a
2 degree in law enforcement administration, law, criminology or a
3 related science.

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

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

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

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

20 D. Any employee of the Department of Public Safety appointed to
21 the position of Commissioner shall have the ability to return to the
22 previous position of the employee without any loss of rights,
23 privileges or benefits immediately upon completion of the duties as
24 Commissioner, provided the employee is not otherwise disqualified

1 due to disciplinary reasons, termination of employment or inability
2 to effectively lead the agency.

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

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 March 29, 2018 - DO PASS
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