

1 **SENATE FLOOR VERSION**

2 February 16, 2017

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 324

By: Fry

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8 An Act relating to public safety awards; creating the
9 Oklahoma State Award Program Committee; stating the
10 purpose; establishing certain awards; establishing
11 criteria; providing for Committee membership;
12 establishing meeting requirements; prohibiting
13 certain acts; directing certain responsibilities;
14 making certain allowances; providing for certain
15 actions; providing for codification; and providing an
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2-108.5 of Title 47, unless
20 there is created a duplication in numbering, reads as follows:

21 A. 1. There is hereby created the Oklahoma State Award Program
22 Committee. The purpose of the Committee is to create, establish
23 eligibility requirements and make recommendation for awarding the
24 Oklahoma Medal of Valor for meritorious service and the Oklahoma
Purple Heart for serious line of duty injuries for law enforcement

1 and public safety members employed by municipal, county, state and
2 employees of federal agencies working in Oklahoma.

3 2. There is hereby established the Oklahoma Medal of Valor and
4 the Oklahoma Purple Heart, along with authorized appurtenances, for
5 award by the Governor, in the name of the state, to any person who
6 has demonstrated meritorious achievement, or a distinct act of
7 courage, or who has incurred injury or wounds, while performing or
8 actively engaged in public service activities. The Oklahoma Purple
9 Heart is limited to law enforcement and public safety members
10 employed by municipal, county, state and employees of federal
11 agencies working in Oklahoma.

12 3. The purpose of each award is to formally recognize
13 extraordinary acts of valor by public safety members and citizens of
14 Oklahoma who engage in extraordinary acts of bravery and valor and
15 to formally recognize public safety members in Oklahoma who have
16 been seriously injured in the line of duty.

17 B. The members of the Oklahoma State Award Program (OSAP)
18 Committee shall have experience in the field of public safety and
19 public service. The OSAP Committee shall be composed of nine (9)
20 members as follows:

- 21 1. The Lieutenant Governor, who shall serve as chair;
- 22 2. The Adjutant General of the Oklahoma National Guard;
- 23 3. The Commissioner of the Department of Public Safety;
- 24 4. The Director of the Department of Corrections;

1 5. The Director of the Department of Transportation;

2 6. The President of the Oklahoma Sheriffs' Association;

3 7. The President of the Oklahoma Association of Chiefs of
4 Police;

5 8. The President of the Oklahoma State Firefighters
6 Association; and

7 9. The President of the Oklahoma Sheriffs and Peace Officers
8 Association.

9 C. Except at any meeting to select recipients of the Oklahoma
10 Medal of Valor and the Oklahoma Purple Heart, each member, other
11 than the chair, may be represented by a designee; provided, the
12 designee must be an active member in good standing with the agency
13 or association to which the appointed member belongs. The Chairman
14 reserves the right to appoint an advisory board to collect, review
15 and make initial award recommendations to the OSAP committee. The
16 advisory board will be comprised of designees from the nine-member
17 OSAP committee.

18 D. The Committee shall conduct its first meeting no later than
19 ninety (90) calendar days after the appointment of the last member.
20 The Committee shall meet at the direction of the chair, and shall
21 normally meet not less than once each year and not more than three
22 times each year.

23 E. A majority of the members shall constitute a quorum to
24 conduct business.

1 F. The members of the Committee shall serve without
2 compensation, except that the members may be reimbursed for
3 reasonable and necessary expenses arising from Committee activities
4 or business. Such expenses shall be paid by the respective agencies
5 at which the member is employed at the time the expense is incurred.

6 G. No member of the OSAP Committee shall solicit, seek or
7 request individuals to submit individuals for awards. OSAP
8 Committee members may explain the program to interested individuals.
9 The Committee may secure directly from any department or agency such
10 information as the Committee deems necessary to carry out its
11 duties.

12 H. The Commissioner of the Department of Public Safety shall
13 promulgate rules to establish the following:

14 1. Design of the Oklahoma Medal of Valor and the Oklahoma
15 Purple Heart and any authorized appurtenances proposed by the
16 Adjutant General;

17 2. Criteria for eligibility for award of the Oklahoma Medal of
18 Valor and the Oklahoma Purple Heart proposed by the Adjutant
19 General;

20 3. Criteria for the proper wear of the Oklahoma Medal of Valor
21 and the Oklahoma Purple Heart proposed by the Adjutant General;

22 4. Method of purchasing the Oklahoma Medal of Valor and the
23 Oklahoma Purple Heart;

24 5. Order of precedence relating to other state awards; and

1 6. Other rules deemed necessary to carry out the provisions of
2 this act.

3 I. The Committee shall consider candidates for award for the
4 Oklahoma Medal of Valor and the Oklahoma Purple Heart only from the
5 applications received. The OSAP Committee may go into executive
6 session to deliberate and select recommended recipients. The Chair
7 shall present to the Governor the names of recommendations as Medal
8 recipients.

9 J. The Committee shall not disclose any information which may
10 compromise an ongoing law enforcement investigation or information
11 that is otherwise required by law to be kept confidential. Only the
12 final recommendation for receipt of the Oklahoma Medal of Valor and
13 the Oklahoma Purple Heart shall be subject to the Oklahoma Open
14 Records Act.

15 K. The Oklahoma Medal of Valor and the Oklahoma Purple Heart
16 may not be awarded to any person who was not selected by the
17 Committee.

18 L. The award of the Oklahoma Medal of Valor and the Oklahoma
19 Purple Heart may be rescinded for suitable cause. The Chair, with
20 the consent of the Committee, shall forward the recommendation for
21 rescission to the Governor. The final decision to rescind must be
22 approved by the Governor.

23 M. The Oklahoma Medal of Valor and the Oklahoma Purple Heart
24 may be awarded posthumously and may be presented to such

1 representative of the deceased's family as may be deemed appropriate
2 by the Governor.

3 SECTION 2. This act shall become effective November 1, 2017.

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 February 16, 2017 - DO PASS AS AMENDED
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