

1 ENGROSSED HOUSE  
2 BILL NO. 1710

By: Fetgatter, McDugle, Hill,  
Sanders, Ford and Lawson of  
the House

3  
4 and

Leewright of the Senate

5  
6  
7 [ State Historic Preservation Office - providing for  
8 transfer of duties to the Oklahoma Department of  
9 Commerce - providing for unclassified service of  
10 employees of the State Historic Preservation Office  
11 - effective date -

12 emergency ]  
13  
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15

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 5019.1 of Title 74, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. Effective July 1, 2020, the State Historic Preservation  
21 Office shall no longer be under the jurisdiction of the Oklahoma  
22 Historical Society and its duties and functions shall be transferred  
23 to the Oklahoma Department of Commerce.  
24

1       B. All books, records, papers, equipment and tangible personal  
2 property used by the State Historic Preservation Office shall be  
3 transferred to the Oklahoma Department of Commerce.

4       C. Personnel assigned to the State Historic Preservation Office  
5 shall be transferred to and become employees of the Oklahoma  
6 Department of Commerce. All personnel transferred pursuant to the  
7 provisions of this subsection shall be in the unclassified service  
8 for purposes of the Oklahoma Personnel Act.

9       D. Any funds under the control of the State Historic  
10 Preservation Office, with the exception of funds encumbered prior to  
11 the effective date of this act, shall be transferred to the Oklahoma  
12 Department of Commerce.

13       E. Any website information which identifies the State Historic  
14 Preservation Office as an administrative unit of the Oklahoma  
15 Historical Society shall be modified to reflect the transfer of  
16 functions required by this act and, if necessary, the Oklahoma  
17 Department of Commerce shall create a website or modify an existing  
18 agency website so that the information contained in the existing  
19 webpages for the State Historic Preservation Office will be  
20 preserved to the extent possible and so that the Office is correctly  
21 identified as an administrative unit or program of the Oklahoma  
22 Department of Commerce.

1       SECTION 2.       AMENDATORY       74 O.S. 2011, Section 840-5.5, as  
2 last amended by Section 1, Chapter 365, O.S.L. 2019 (74 O.S. Supp.  
3 2019, Section 840-5.5), is amended to read as follows:

4       Section 840-5.5 A. The following offices, positions, and  
5 personnel shall be in the unclassified service and shall not be  
6 placed under the classified service:

7       1. Persons chosen by popular vote or appointment to fill an  
8 elective office, and their employees, except the employees of the  
9 Corporation Commission, the State Department of Education and the  
10 Department of Labor;

11       2. Members of boards and commissions, and heads of agencies;  
12 also one principal assistant or deputy and one executive secretary  
13 for each state agency;

14       3. All judges, elected or appointed, and their employees;

15       4. Persons employed with one-time, limited duration, federal or  
16 other grant funding that is not continuing or indefinitely  
17 renewable. The length of the unclassified employment shall not  
18 exceed the period of time for which that specific federal funding is  
19 provided;

20       5. All officers and employees of The Oklahoma State System of  
21 Higher Education, State Board of Education and Oklahoma Department  
22 of Career and Technology Education;

23       6. Persons employed in a professional or scientific capacity to  
24 make or conduct a temporary and special inquiry, investigation, or

1 examination on behalf of the Legislature or a committee thereof or  
2 by authority of the Governor. These appointments and authorizations  
3 shall terminate on the first day of the regular legislative session  
4 immediately following the appointment, if not terminated earlier.  
5 However, nothing in this paragraph shall prevent the reauthorization  
6 and reappointment of any such person. Any such appointment shall be  
7 funded from the budget of the appointing authority;

8 7. Election officials and employees;

9 8. Temporary employees employed to work less than one thousand  
10 (1,000) hours in any twelve-month period, and seasonal employees  
11 employed by the Oklahoma Tourism and Recreation Department pursuant  
12 to Section 2241 of this title who work less than one thousand six  
13 hundred (1,600) hours in any twelve-month period;

14 9. Department of Public Safety employees occupying the  
15 following offices or positions:

- 16 a. administrative aides to the Commissioner,
- 17 b. executive secretaries to the Commissioner,
- 18 c. the Governor's representative of the Oklahoma Highway  
19 Safety Office who shall be appointed by the Governor,
- 20 d. Highway Patrol Colonel,
- 21 e. Highway Patrol Lieutenant Colonel,
- 22 f. Highway Patrol Major,
- 23 g. Director of Finance,
- 24 h. noncommissioned pilots,

- i. Information Systems Administrator,
- j. Law Enforcement Telecommunications System Specialist,
- k. Director of Driver Compliance,
- l. Director of Transportation Division,
- m. Director of the Oklahoma Highway Safety Office,
- n. Civil Rights Administrator,
- o. Budget Analyst,
- p. Comptroller,
- q. Chaplain,
- r. Helicopter Mechanic,
- s. Director of Safety Compliance,
- t. Human Resources Director,
- u. Administrator of Department Services, and
- v. a maximum of seven positions for the purpose of administering programs in the Oklahoma Highway Safety Office, within full-time employee limitations of the Department, employed with federal funding that is continuing or indefinitely renewable. The authorization for such positions shall be terminated if the federal funding for positions is discontinued;

provided, any person appointed to a position prescribed in subparagraph d, e or f of this paragraph shall have a right of return to the classified commissioned position without any loss of

1 rights, privileges or benefits immediately upon completion of the  
2 duties in the unclassified commissioned position;

3 10. Professional trainees only during the prescribed length of  
4 their course of training or extension study;

5 11. Students who are employed on a part-time basis, which shall  
6 be seventy-five percent (75%) of a normal forty-hour work week or  
7 thirty (30) hours per week, or less, or on a full-time basis if the  
8 employment is pursuant to a cooperative education program such as  
9 that provided for under Title I IV-D of the Higher Education Act of  
10 1965 (20 U.S.C. 1087a-1087c), as amended, and who are regularly  
11 enrolled in:

12 a. an institution of higher learning within The Oklahoma  
13 State System of Higher Education,

14 b. an institution of higher learning qualified to become  
15 coordinated with The Oklahoma State System of Higher  
16 Education. For purposes of this section, a student  
17 shall be considered a regularly enrolled student if  
18 the student is enrolled in a minimum of five (5) hours  
19 of accredited graduate courses or a minimum of ten  
20 (10) hours of accredited undergraduate courses;  
21 provided, however, the student shall only be required  
22 to be enrolled in a minimum of six (6) hours of  
23 accredited undergraduate courses during the summer, or  
24

1           c.    high school students regularly enrolled in a high  
2                school in Oklahoma and regularly attending classes  
3                during such time of enrollment;

4        12.   The spouses of personnel who are employed on a part-time  
5 basis to assist or work as a relief for their spouses in the  
6 Oklahoma Tourism and Recreation Department;

7        13.   Service substitute attendants who are needed to replace  
8 museum and site attendants who are unavoidably absent. Service  
9 substitutes may work as part-time or full-time relief for absentees  
10 for a period of not more than four (4) weeks per year in the  
11 Oklahoma Historical Society sites and museums; such substitutes will  
12 not count towards the agency's full-time-equivalent (FTE) employee  
13 limit;

14       14.   Employees of the Oklahoma House of Representatives, the  
15 State Senate, or the Legislative Service Bureau;

16       15.   Corporation Commission personnel occupying the following  
17 offices and positions:

- 18           a.   Administrative aides, and executive secretaries to the
- 19               Commissioners,
- 20           b.   Directors of all the divisions, personnel managers and
- 21               comptrollers,
- 22           c.   General Counsel,
- 23           d.   Public Utility Division Chief Engineer,
- 24           e.   Public Utility Division Chief Accountant,

- f. Public Utility Division Chief Economist,
- g. Public Utility Division Deputy Director,
- h. Secretary of the Commission,
- i. Deputy Conservation Director,
- j. Manager of Pollution Abatement,
- k. Manager of Field Operations,
- l. Manager of Technical Services,
- m. Public Utility Division Chief of Telecommunications,
- n. Director of Information Services,
- o. All Data Processing employees hired on or after  
September 1, 2005,
- p. All Public Utilities employees hired on or after  
September 1, 2007,
- q. All Regulatory Program Managers hired on or after  
September 1, 2007, and
- r. All Pipeline Safety Department employees hired on or  
after September 1, 2008;

16. At the option of the employing agency, the Supervisor, Director, or Educational Coordinator in any other state agency having a primary responsibility to coordinate educational programs operated for children in state institutions;

17. Department of Mental Health and Substance Abuse Services personnel occupying the following offices and positions at each facility:



- a. Director of Facility,
- b. Deputy Director for Administration,
- c. Clinical Services Director,
- d. Executive Secretary to Director, and
- e. Directors or Heads of Departments or Services;

18. Office of Management and Enterprise Services personnel  
occupying the following offices and positions:

- a. State Comptroller,
- b. Administrative Officers,
- c. Alternator Claims Auditor,
- d. Employees hired to fulfill state compliance agency  
requirements under Model Tribal Gaming Compacts,
- e. Employees of the Budget Division,
- f. Employees of the Fiscal and Research Division,
- g. Employees hired to work on the CORE Systems Project,  
and

h. The following employees of the Information Services  
Division:

- (1) Information Services Division Manager,
- (2) Network Manager,
- (3) Network Technicians,
- (4) Security Manager,
- (5) Contracts/Purchasing Manager,
- (6) Operating and Applications Manager,

- 1 (7) Project Manager,
- 2 (8) Help Desk Manager,
- 3 (9) Help Desk Technicians,
- 4 (10) Quality Assurance Manager,
- 5 (11) ISD Analysts,
- 6 (12) CORE Manager,
- 7 (13) Enterprise System/Database Software Manager,
- 8 (14) Data Center Operations and Production Manager,
- 9 (15) Voice Communications Manager,
- 10 (16) Applications Development Manager,
- 11 (17) Projects Manager,
- 12 (18) PC's Manager,
- 13 (19) Servers Manager,
- 14 (20) Portal Manager,
- 15 (21) Procurement Specialists,
- 16 (22) Security Technicians,
- 17 (23) Enterprise Communications and Network
- 18 Administrator,
- 19 (24) Server Support Specialists,
- 20 (25) Senior Server Support Specialists,
- 21 (26) Systems Support Specialists,
- 22 (27) Senior Systems Support Specialists,
- 23 (28) Chief Technology Officer,
- 24 (29) Facility Manager,

- (30) Application Development Specialists,
- (31) Senior Application Development Specialists,
- (32) Workstation Specialists,
- (33) Senior Workstation Specialists,
- (34) Cabling Infrastructure Administration,
- (35) Planning Specialists,
- (36) Senior Planning Specialists,
- (37) Network Specialists,
- (38) Senior Network Specialists,
- (39) Voice Communication Specialists, and
- (40) Senior Voice Communication Specialists;

19. Employees of the Oklahoma Industrial Finance Authority;

20. Those positions so specified in the annual business plan of the Oklahoma Department of Commerce;

21. Those positions so specified in the annual business plan of the Oklahoma Center for the Advancement of Science and Technology;

22. The following positions and employees of the Oklahoma School of Science and Mathematics:

- a. positions for which the annual salary is Twenty-four Thousand One Hundred Ninety-three Dollars (\$24,193.00) or more, as determined by the Office of Management and Enterprise Services; provided, no position shall become unclassified because of any change in salary or grade while it is occupied by a classified employee,

- b. positions requiring certification by the State Department of Education, and
- c. positions and employees authorized to be in the unclassified service of the state elsewhere in this section or in subsection B of this section;

23. Office of Management and Enterprise Services employees occupying the following positions:

- a. the Carl Albert Internship Program Coordinator,
- b. one Administrative Assistant,
- c. one Workforce Planning Manager,
- d. Assistant Administrators,
- e. one Associate Administrator, and
- f. Division Directors;

24. Department of Labor personnel occupying the following offices and positions:

- a. two Deputy Commissioners,
- b. two Executive Secretaries to the Commissioner,
- c. Chief of Staff,
- d. two Administrative Assistants,
- e. Information Systems Administrator,
- f. three Safety and Health Directors,
- g. Research Director,
- h. Employment Standards Director,
- i. Asbestos Director,

- j. General Counsel,
- k. one Legal Secretary,
- l. one Docket Clerk,
- m. two Information Systems Application Specialists,
- n. one Administrative Programs Officer,
- o. one Industrial Hygienist Supervisor, and
- p. one Public Information Officer;

25. The State Bond Advisor and his or her employees;

26. The Oklahoma Employment Security Commission employees

occupying the following positions:

- a. Associate Director,
- b. Secretary to the Associate Director, and
- c. Assistant to the Executive Director;

27. Officers and employees of the State Banking Department;

28. Officers and employees of the University Hospitals

Authority except personnel in the state classified service pursuant to Section 3211 of Title 63 of the Oklahoma Statutes and members of the University Hospitals Authority Model Personnel System created pursuant to subsection E of Section 3211 of Title 63 of the Oklahoma Statutes or as otherwise provided for in Section 3213.2 of Title 63 of the Oklahoma Statutes;

29. Alcoholic Beverage Laws Enforcement Commission employees

occupying the following positions:

- a. three Administrative Service Assistant positions, however, employees in such positions who are in the unclassified service on June 4, 2003, may make an election to be in the classified service without a loss in salary by September 1, 2003, and
- b. the Deputy Director position in addition to the one authorized by paragraph 2 of this subsection;

30. The Oklahoma State Bureau of Investigation employees occupying the following positions:

- a. five assistant directors,
- b. special investigators based upon the availability of funds and the needs of the agency as determined by the Director,
- c. one information representative,
- d. one federally funded physical evidence technician,
- e. four federally funded laboratory analysts,
- f. a maximum of fourteen positions employed for the purpose of managing the automated information systems of the agency,
- g. one executive secretary in addition to the one executive secretary authorized pursuant to paragraph 2 of this subsection,
- h. Child Abuse Response Team (CART) investigator,
- i. Child Abuse Response Team (CART) forensic interviewer,

- j. nine administration and research positions and five data processing and information technology positions transferred from the Criminal Justice Resource Center pursuant to Section 150.17a of this title,
- k. one Human Resources Director, and
- l. one Comptroller;

31. The Department of Transportation, the following positions:

- a. Director of the Oklahoma Aeronautics Commission,
- b. five Department of Transportation Assistant Director positions,
- c. eight field division engineer positions,
- d. one pilot position,
- e. five Project Manager positions, and
- f. five Transportation Coordinators;

32. Commissioners of the Land Office employees occupying the following positions:

- a. Chief Financial Officer,
- b. two Assistant Directors of Financial Services,
- c. two Archivists,
- d. one Audit Tech position,
- e. two Auditor positions,
- f. two Accounting Tech I positions,
- g. two Administrative Assistant positions,
- h. one Imaging Specialist position,

- i. one Information Systems Specialist position,
- j. Director of Communications,
- k. Director of Royalty Compliance,
- l. Director of Mineral Management,
- m. Accountant or Certified Public Accountant,
- n. Commercial Property Manager,
- o. Assistant Secretary,
- p. Director of Real Estate Management,
- q. one executive assistant,
- r. one legal secretary,
- s. one secretary,
- t. one Assistant Commercial Property Manager,
- u. one Oil and Gas Production Advisor or Geologist,
- v. one Soil Conservationist,
- w. one Administrative Programs Officer,
- x. one Geographic Information Systems Specialist,
- y. Director of Oil and Gas Division, and
- z. Financial Manager/Comptroller;

33. Within the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission, the following positions:

- a. six Narcotics Agent positions and three Typist Clerk/Spanish transcriptionists, including a Typist Clerk Supervisor/Spanish transcriptionist; provided, authorization for such positions shall be terminated



1 if the federal funding for the positions is  
2 discontinued,

- 3 b. one executive secretary in addition to the one  
4 authorized pursuant to paragraph 2 of this subsection,
- 5 c. one fiscal officer,
- 6 d. one full-time Programmer, and
- 7 e. one full-time Network Engineer;

8 34. The Military Department of the State of Oklahoma is  
9 authorized such unclassified employees within full-time employee  
10 limitations to work in any of the Department of Defense directed  
11 youth programs, the State of Oklahoma Juvenile Justice youth  
12 programs, those persons reimbursed from Armory Board or Billeting  
13 Fund accounts, and skilled trade positions;

14 35. Within the Oklahoma Commission on Children and Youth the  
15 following unclassified positions:

- 16 a. one Oversight Specialist and one Community Development  
17 Planner,
- 18 b. one State Plan Grant Coordinator; provided,  
19 authorization for the position shall be terminated  
20 when federal support for the position by the United  
21 States Department of Education Early Intervention  
22 Program is discontinued,

- c. one executive secretary in addition to the one authorized pursuant to paragraph 2 of this subsection, and
- d. one Programs Manager;

36. The following positions and employees of the Office of Management and Enterprise Services:

- a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection,
- b. the Director of Central Purchasing,
- c. one Alternate Fuels Administrator,
- d. one Director of Special Projects,
- e. three postauditors,
- f. four high-technology contracting officers,
- g. one Executive Assistant to the Purchasing Director,
- h. four Contracts Managers,
- i. one Associate Director,
- j. one specialized HiTech/Food Contracting Officer,
- k. one State Use Contracting Officer,
- l. one Property Distribution Administrator,
- m. three licensed architects assigned to the Construction and Properties Division,
- n. three licensed engineers assigned to the Construction and Properties Division,

- o. eight construction consultants assigned to the Construction and Properties Division,
- p. one attorney assigned to the Construction and Properties Division,
- q. three positions assigned to the Information Services Division, which shall include one Information Technology Manager, one Applications Specialist and one Data Planning Specialist,
- r. four positions assigned to Fleet Management, which shall include one Deputy Fleet Manager and three Management Analysts,
- s. one Chief Auditor,
- t. one Assistant Director of Central Purchasing Division,
- u. one Professional Errors and Omissions Liability Adjuster,
- v. three Strategic Sourcing Managers,
- w. three Strategic Sourcing Assistant Managers, and
- x. two Printing Services Brokers;

37. Oklahoma Water Resources Board personnel occupying the following offices and positions:

- a. four Water Quality Assistant Division Chiefs,
- b. four Water Resources Division Chiefs, and
- c. Director of Water Planning;

1        38. J.D. McCarty Center for Children with Developmental  
2 Disabilities personnel occupying the following offices and  
3 positions:

- 4            a. Physical Therapists,
- 5            b. Physical Therapist Assistants,
- 6            c. Occupational Therapists,
- 7            d. Certified Occupational Therapist Aides, and
- 8            e. Speech Pathologists;

9        39. Oklahoma Historical Society personnel occupying the  
10 following offices and positions:

- 11           a. the Development Officer,
- 12           b. the Director of the State Museum of History,
- 13           c. the Cherokee Strip Regional Heritage Center Director,
- 14           d. the Director of Museums and Historic Sites,
- 15           e. the Director of Research,
- 16           f. ~~the Deputy~~ all positions within the State Historic  
17               Preservation Officer Office, and
- 18           g. the Director of the Oklahoma Museum of Popular  
19               Culture;

20        40. Oklahoma Department of Agriculture, Food, and Forestry  
21 personnel occupying the following positions:

- 22           a. one Executive Secretary in addition to the Executive  
23               Secretary authorized by paragraph 2 of this subsection  
24               and one Executive Assistant,

- 1           b.    nineteen Agricultural Marketing Coordinator III  
2               positions,  
3           c.    temporary fire suppression personnel, regardless of  
4               the number of hours worked, who are employed by the  
5               Oklahoma Department of Agriculture, Food, and  
6               Forestry; provided, however, notwithstanding the  
7               provisions of any other section of law, the hours  
8               worked by such employees shall not entitle such  
9               employees to any benefits received by full-time  
10              employees,  
11          d.    one Information Technology Specialist,  
12          e.    one Director of Administrative Services,  
13          f.    one Professional Engineer,  
14          g.    one hydrologist position,  
15          h.    Pet Breeder Inspectors,  
16          i.    one Information Technology Technician,  
17          j.    Legal Services Director,  
18          k.    Animal Industry Services Director,  
19          l.    Agricultural Environmental Management Services  
20               Director,  
21          m.    Forestry Services Director,  
22          n.    Plant Industry and Consumer Services Director,  
23          o.    one Grants Administrator position,  
24          p.    Director of Laboratory Services,

- 1 q. Chief of Communications,  
2 r. Public Information Manager,  
3 s. Inventory/Supply Officer,  
4 t. five Agriculture Field Inspector positions assigned  
5 the responsibility for conducting inspections and  
6 audits of agricultural grain storage warehouses. All  
7 other Agriculture Field Inspector positions and  
8 employees of the Oklahoma Department of Agriculture,  
9 Food, and Forestry shall be classified and subject to  
10 the provisions of the Merit System of Personnel  
11 Administration. On November 1, 2002, all other  
12 unclassified Agriculture Field Inspectors shall be  
13 given status in the classified service as provided in  
14 Section 840-4.2 of this title,  
15 u. Rural Fire Coordinator,  
16 v. one Agricultural Marketing Coordinator I,  
17 w. Food Safety Division Director,  
18 x. two Environmental Program Specialists,  
19 y. two Scale Technicians,  
20 z. two Plant Protection Specialists,  
21 aa. Chief Agent,  
22 bb. Professional Foresters,  
23 cc. Forestry Education Coordinator,  
24 dd. Forest Data Analyst,

1 ee. Executive Secretary to Chief Agent, and

2 ff. Executive Secretary of State Forester;

3 41. The Contracts Administrator within the Oklahoma State  
4 Employees Benefits Council;

5 42. The Development Officer within the Oklahoma Department of  
6 Libraries;

7 43. Oklahoma Real Estate Commission personnel occupying the  
8 following offices and positions:

9 a. Educational Program Director, and

10 b. Data Processing Manager;

11 44. A Chief Consumer Credit Examiner for the Department of  
12 Consumer Credit;

13 45. All officers and employees of the Oklahoma Capitol Complex  
14 and Centennial Commemoration Commission;

15 46. All officers and employees of the Oklahoma Motor Vehicle  
16 Commission;

17 47. One Museum Archivist of The Will Rogers Memorial  
18 Commission;

19 48. One Fire Protection Consultant of the Office of the State  
20 Fire Marshal;

21 49. Acting incumbents employed pursuant to Section 209 of Title  
22 44 or Section 48 of Title 72 of the Oklahoma Statutes who shall not  
23 be included in any limitation on full-time equivalency imposed by  
24 law on an agency. Permanent classified employees may request a

1 leave of absence from classified status and accept an unclassified  
2 appointment and compensation as an acting incumbent with the same  
3 agency; provided, the leave shall expire no later than two (2) years  
4 from the date of the acting incumbent appointment. An appointing  
5 authority may establish unclassified positions and appoint  
6 unclassified employees to perform the duties of a permanent  
7 classified employee who is on leave of absence from a classified  
8 position to serve as an acting incumbent. All unclassified  
9 appointments created pursuant to this paragraph shall expire no  
10 later than two (2) years from the date of appointment. Classified  
11 employees accepting unclassified appointments and compensation  
12 pursuant to this paragraph shall be entitled to participate without  
13 interruption in any benefit programs available to classified  
14 employees, including retirement and insurance programs. Immediately  
15 upon termination of an unclassified appointment pursuant to this  
16 paragraph, an employee on assignment from the classified service  
17 shall have a right to be restored to the classified service and  
18 reinstated to the former job family level and compensation plus any  
19 adjustments and increases in salary or benefits which the employee  
20 would have received but for the leave of absence;

21 50. The Oklahoma Homeland Security Director and all other  
22 positions assigned the responsibilities of working in the Oklahoma  
23 Office of Homeland Security;



1        51. The following eighteen positions in the State Department of  
2 Health:

- 3            a. one surveillance supervisor,
- 4            b. one surveillance project monitor,
- 5            c. two bilingual interviewers,
- 6            d. eight senior interviewers, and
- 7            e. six interviewers;

8        52. State Board of Licensure for Professional Engineers and  
9 Land Surveyors personnel occupying the following offices and  
10 positions:

- 11           a. one Director of Enforcement, and
- 12           b. two Board Investigators;

13        53. One Information Systems Data Management Analyst of the  
14 State and Education Employees Group Insurance Board;

15        54. Office of Juvenile Affairs personnel occupying the  
16 following offices and positions:

- 17           a. two Management Information Systems positions, and
- 18           b. employees hired for service at the Southwest Oklahoma  
19              Juvenile Center in Manitou after June 1, 2020, as  
20              provided in subsection C of Section 2-7-202 of Title  
21              10A of the Oklahoma Statutes; and

22        55. Heads of agencies, principal assistants or deputies and  
23 executive secretaries of an agency that is consolidated into another  
24 agency.

1       B. If an agency has the authority to employ personnel in the  
2 following offices and positions, the appointing authority shall have  
3 the discretion to appoint personnel to the unclassified service:

4       1. Licensed medical doctors, osteopathic physicians, dentists,  
5 psychologists, and nurses;

6       2. Certified public accountants;

7       3. Licensed attorneys;

8       4. Licensed veterinarians; and

9       5. Licensed pharmacists.

10      C. Effective July 1, 1996, authorization for unclassified  
11 offices, positions, or personnel contained in a bill or joint  
12 resolution shall terminate June 30 of the ensuing fiscal year after  
13 the authorization unless the authorization is codified in the  
14 Oklahoma Statutes or the termination is otherwise provided in the  
15 legislation.

16      D. The appointing authority of agencies participating in the  
17 statewide information systems project may establish unclassified  
18 positions and appoint unclassified employees to the project as  
19 needed. Additional unclassified positions may be established, if  
20 required, to appoint an unclassified employee to perform the duties  
21 of a permanent classified employee who is temporarily absent from a  
22 classified position as a result of assignment to this project. All  
23 unclassified appointments under this authority shall expire no later  
24 than December 31, 2007, and all unclassified positions established

1 to support the project shall be abolished. Both the positions and  
2 appointments resulting from this authority shall be exempt from any  
3 agency FTE limitations and any limits imposed on the number of  
4 unclassified positions authorized. Permanent classified employees  
5 may request a leave of absence from classified status and accept an  
6 unclassified appointment and compensation with the same agency under  
7 the provisions of this subsection; provided, the leave shall expire  
8 no later than December 31, 2007. Employees accepting the  
9 appointment and compensation shall be entitled to participate  
10 without interruption in any benefit programs available to classified  
11 employees, including retirement and insurance programs. Immediately  
12 upon termination of an unclassified appointment pursuant to this  
13 subsection, an employee on assignment from the classified service  
14 shall have a right to be restored to the classified service and  
15 reinstated to the former job family level and compensation plus any  
16 adjustments and increases in salary or benefits which the employee  
17 would have received but for the leave of absence.

18 SECTION 3. This act shall become effective July 1, 2020.

19 SECTION 4. It being immediately necessary for the preservation  
20 of the public peace, health or safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.  
23  
24

1 Passed the House of Representatives the 2nd day of March, 2020.

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3  
4 Presiding Officer of the House  
of Representatives

5  
6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

7  
8 Presiding Officer of the Senate