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February 25, 2019

SENATE BILL NO. 709

By: David of the Senate

and

# Echols of the House

An Act relating to the Oklahoma Department of Public Safety; amending 47 O.S. 2011, Section 2-104, as amended by Section 160, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2018, Section 2-104), which relates to the Commissioner appointments; modifying appointments; making language gender neutral; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-104, as amended by Section 160, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2018, Section 2-104), is amended to read as follows:

Section 2-104. A. The Commissioner, subject to the Merit System laws, if applicable, shall appoint ~~an Assistant Commissioner~~ a Chief of Administration and such other deputies, subordinates, officers, investigators, and other employees as may be necessary to implement the provisions of this title. Any employee of the Department of Public Safety appointed to the position of ~~Assistant Commissioner~~ Chief of Administration who is otherwise statutorily

1 eligible shall have a right to return to the previous position of  
2 the employee without any loss of rights, privileges or benefits  
3 immediately upon completion of the duties as ~~Assistant Commissioner~~  
4 Chief of Administration, provided the employee is not otherwise  
5 disqualified.

6 B. When traveling with the Governor or at his or her request:

7 1. Those personnel assigned by the Commissioner for executive  
8 security shall be allowed their actual and necessary traveling  
9 expenses, upon claims approved by the Commissioner, and shall  
10 receive, in addition to base salary, an additional One Hundred  
11 Seventy-five Dollars (\$175.00) per month; and

12 2. Those personnel serving as noncommissioned pilots in the  
13 Department of Public Safety shall be allowed their actual and  
14 necessary traveling expenses, upon claims approved by the  
15 Commissioner.

16 C. Any person appointed to the position of ~~Assistant~~  
17 ~~Commissioner~~ Chief of Administration of the Department of Public  
18 Safety shall be eligible for retirement participation as a member of  
19 the Highway Patrol Division in the Oklahoma Law Enforcement  
20 Retirement System if such person at the time of appointment  
21 satisfies the age qualifications of an Oklahoma Highway Patrolman as  
22 provided in subsection B of Section 2-105 of this title; ~~however,~~  
23 and is otherwise eligible to participate in the retirement program;  
24 otherwise, the Chief of Administration shall participate in the

1 Oklahoma Public Employees Retirement upon appointment. However, the  
2 ~~Assistant Commissioner~~ Chief of Administration shall be eligible for  
3 participation in only one retirement system and shall elect in  
4 writing the system in which ~~he~~ the Chief of Administration intends  
5 to participate.

6 D. The salaries of the employees of the Department of Public  
7 Safety<sup>7</sup> shall be governed by and in accordance with the procedures  
8 established by the Office of Management and Enterprise Services,  
9 unless otherwise provided by law.

10 SECTION 2. It being immediately necessary for the preservation  
11 of the public peace, health or safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
15 February 25, 2019 - DO PASS  
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