

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3970

By: Burns

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to awards for meritorious service;
10 amending 47 O.S. 2021, Section 2-108.5, which relates
11 to the Oklahoma Medal of Valor, the Oklahoma
12 Distinguished Meritorious Service Medal and related
13 awards; modifying terminology; providing for creation
14 of Oklahoma Red Heart and Oklahoma Blue Heart Awards;
15 specifying persons eligible for Oklahoma Red Heart or
16 Oklahoma Blue Heart; and providing an effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2021, Section 2-108.5, is
19 amended to read as follows:

20 Section 2-108.5 A. 1. There is hereby created the Oklahoma
21 State Award Program Committee. The purpose of the Committee is to
22 create, establish eligibility requirements and make recommendation
23 for awarding the Oklahoma Medal of Valor for meritorious service,
24 the Oklahoma Distinguished Meritorious Service Medal for extended
exemplary service to the state and the Oklahoma ~~Purple~~ Red Heart or
Oklahoma Blue Heart for serious line of duty injuries for law

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

3 2. There is hereby established the Oklahoma Medal of Valor, the
4 Oklahoma Distinguished Meritorious Service Medal and the Oklahoma
5 ~~Purple Red Heart~~ and Oklahoma Blue Heart, along with authorized
6 appurtenances, for award by the Governor, in the name of the state,
7 to any person who has demonstrated meritorious achievement, or a
8 distinct act of courage, shown distinguished meritorious service to
9 the state over an extended period of service or who has incurred
10 injury or wounds, while performing or actively engaged in public
11 service activities. The Oklahoma ~~Purple Red Heart~~ is limited to ~~law~~
12 ~~enforcement and public safety members~~ municipal firefighters
13 employed by cities and towns. The Oklahoma Blue Heart is limited to
14 law enforcement and public safety members employed by municipal,
15 county, state and employees of federal agencies working in Oklahoma.

16 3. The purpose of each award is to formally recognize
17 extraordinary acts of valor by public safety members and citizens of
18 Oklahoma who engage in extraordinary acts of bravery and valor and
19 to formally recognize public safety members in Oklahoma who have
20 been seriously injured in the line of duty and to acknowledge the
21 distinguished meritorious service of citizens to the state.

22 B. The members of the Oklahoma State Award Program (OSAP)
23 Committee shall have experience in the field of public safety and
24

public service. The OSAP Committee shall be composed of nine (9) members as follows:

1. The Lieutenant Governor, who shall serve as chair;
2. The Adjutant General of the Oklahoma National Guard;
3. The Commissioner of the Department of Public Safety;
4. The Director of the Department of Corrections;
5. The Director of the Department of Transportation;
6. The President of the Oklahoma Sheriffs' Association;
7. The President of the Oklahoma Association of Chiefs of

Police;

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

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

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

1 D. The Committee shall conduct its first meeting no later than
2 ninety (90) calendar days after the appointment of the last member.
3 The Committee shall meet at the direction of the chair, and shall
4 normally meet not less than once each year and not more than three
5 times each year.

6 E. A majority of the members shall constitute a quorum to
7 conduct business.

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

13 G. No member of the OSAP Committee shall solicit, seek or
14 request individuals to submit individuals for awards. OSAP
15 Committee members may explain the program to interested individuals.
16 The Committee may secure directly from any department or agency such
17 information as the Committee deems necessary to carry out its
18 duties.

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

21 1. Design of the Oklahoma Medal of Valor, the Oklahoma
22 Distinguished Meritorious Service Medal and the Oklahoma ~~Purple~~ Red
23 Heart or the Oklahoma Blue Heart and any authorized appurtenances
24 proposed by the Adjutant General;

1 2. Criteria for eligibility for award of the Oklahoma Medal of
2 Valor, the Oklahoma Distinguished Meritorious Service Medal or the
3 Oklahoma ~~Purple~~ Red Heart or Oklahoma Blue Heart proposed by the
4 Adjutant General;

5 3. Criteria for the proper wear of the Oklahoma Medal of Valor,
6 the Oklahoma Distinguished Meritorious Service Medal or the Oklahoma
7 ~~Purple~~ Red Heart or the Oklahoma Blue Heart proposed by the Adjutant
8 General;

9 4. Method of purchasing the Oklahoma Medal of Valor, the
10 Oklahoma Distinguished Meritorious Service Medal or the Oklahoma
11 ~~Purple~~ Red Heart or Oklahoma Blue Heart;

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

13 6. Other rules deemed necessary to carry out the provisions of
14 this section.

15 I. The Committee shall consider candidates for award for the
16 Oklahoma Medal of Valor, the Oklahoma Distinguished Meritorious
17 Service Medal or the Oklahoma ~~Purple~~ Red Heart or Oklahoma Blue
18 Heart only from the applications received. The OSAP Committee may
19 go into executive session to deliberate and select recommended
20 recipients. The Chair shall present to the Governor the names of
21 recommendations as Medal recipients.

22 J. The Committee shall not disclose any information which may
23 compromise an ongoing law enforcement investigation or information
24 that is otherwise required by law to be kept confidential. Only the

1 final recommendation for receipt of the Oklahoma Medal of Valor, the
2 Oklahoma Distinguished Service Medal and the Oklahoma ~~Purple~~ Red
3 Heart or Oklahoma Blue Heart shall be subject to the Oklahoma Open
4 Records Act.

5 K. The Oklahoma Medal of Valor, the Oklahoma Distinguished
6 Service Medal and the Oklahoma ~~Purple~~ Red Heart or Oklahoma Blue
7 Heart may not be awarded to any person who was not selected by the
8 Committee.

9 L. The award of the Oklahoma Medal of Valor, the Oklahoma
10 Distinguished Service Medal and the Oklahoma ~~Purple~~ Red Heart or
11 Oklahoma Blue Heart may be rescinded for suitable cause. The Chair,
12 with the consent of the Committee, shall forward the recommendation
13 for rescission to the Governor. The final decision to rescind must
14 be approved by the Governor.

15 M. The Oklahoma Medal of Valor, the Oklahoma Distinguished
16 Service Medal or the Oklahoma ~~Purple~~ Red Heart or Oklahoma Blue
17 Heart may be awarded posthumously and may be presented to such
18 representative of the deceased's family as may be deemed appropriate
19 by the Governor.

20 SECTION 2. This act shall become effective November 1, 2022.

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22 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS,
23 dated 03/02/2022 - DO PASS, As Amended.
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