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February 4, 2021

SENATE BILL NO. 860

By: Dossett (J.J.)

An Act relating to militia; amending 44 O.S. 2011, Sections 235, 235.1, as amended by Section 156, Chapter 304, O.S.L. 2012, and 235.2, as amended by Section 157, Chapter 304, O.S.L. 2012 (44 O.S. Supp. 2020, Sections 235.1 and 235.2), which relate to the 45th Infantry Division Museum; changing references to 45th Infantry Division Museum to the Oklahoma National Guard Museum; removing approval from the Office of Management and Enterprise Services for the exchanging and selling of military artifacts, books and maps to fund purchases and upgrades; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 44 O.S. 2011, Section 235, is amended to read as follows:

Section 235. There is hereby created the ~~45th Infantry Division~~  
Oklahoma National Guard Museum, to be under the supervision of the  
Adjutant General. The Adjutant General may appoint an Executive  
Director to oversee the daily operations and maintenance of the  
museum and perform other duties as requested by the Adjutant  
General. Appropriate state agencies are directed to make available,  
for display of items of historical significance and necessary space  
for administration, the buildings presently occupied by the Oklahoma

1 Military Department, located in the vicinity of 36th Street and  
2 North Eastern in Oklahoma City, Oklahoma. The building herein  
3 referred to shall be made available by the Adjutant General as soon  
4 as same is no longer needed by and is vacated by the Oklahoma  
5 Military Department. The Executive Director, subject to the  
6 approval of the Adjutant General, may lease to the 45th Infantry  
7 Division Association, for periods not exceeding one (1) year and  
8 with provisions for renewal from year to year, an area to be used as  
9 a gift shop, if the lease does not interfere with its use by the  
10 ~~45th Infantry Division~~ Oklahoma National Guard Museum. The proceeds  
11 of the sales from the gift shop shall remain with the 45th Infantry  
12 Division Association for operating purposes.

13 SECTION 2. AMENDATORY 44 O.S. 2011, Section 235.1, as  
14 amended by Section 156, Chapter 304, O.S.L. 2012 (44 O.S. Supp.  
15 2020, Section 235.1), is amended to read as follows:

16 Section 235.1. There is hereby created in the State Treasury a  
17 special fund to be known as the "~~45th Infantry Division~~ Oklahoma  
18 National Guard Museum Fund", which fund shall consist of donations  
19 received for operation and maintenance of the museum and monies  
20 received from the sale of Armed Forces Veterans Motorcycle License  
21 Plates pursuant to Section 1135.5 of Title 47 of the Oklahoma  
22 Statutes. ~~Said~~ The fund shall be a continuing fund not subject to  
23 fiscal year limitations and shall be under the administrative  
24 direction of the Oklahoma Military Department. Expenditures from

1 the fund created by this section shall be used exclusively for  
2 expenses of operation and maintenance of the ~~45th Infantry Division~~  
3 Oklahoma National Guard Museum and shall be made pursuant to the  
4 laws of this state and without legislative appropriation. Warrants  
5 for expenditures from ~~said~~ the fund shall be drawn by the State  
6 Treasurer, based on claims signed by an authorized employee of the  
7 department and approved for payment by the Director of the Office of  
8 Management and Enterprise Services.

9 SECTION 3. AMENDATORY 44 O.S. 2011, Section 235.2, as  
10 amended by Section 157, Chapter 304, O.S.L. 2012 (44 O.S. Supp.  
11 2020, Section 235.2), is amended to read as follows:

12 Section 235.2. The Adjutant General of Oklahoma is hereby  
13 authorized to accept gifts for and on behalf of the state of  
14 military artifacts, military books and maps and materials, supplies  
15 and equipment which support the construction and operation of the  
16 museum which have been or may be specifically donated to the ~~45th~~  
17 ~~Infantry Division~~ Oklahoma National Guard Museum.

18 The Executive Director of the ~~45th Infantry Division~~ Oklahoma  
19 National Guard Museum is directed to maintain and preserve  
20 appropriate records for all such gifts made to the museum.

21 Upon declaring that certain military artifacts or military books  
22 and maps belonging to the ~~45th Infantry Division~~ Oklahoma National  
23 Guard Museum are surplus to the needs of the museum, the Executive  
24 Director of the ~~45th Infantry Division~~ Oklahoma National Guard

1 Museum is authorized to effect an exchange of the same on an  
2 equitable basis for military artifacts or military books and maps  
3 needed by the museum ~~with the approval of the Office of Management~~  
4 ~~and Enterprise Services~~ and to sell such military artifacts, books  
5 and maps and use the proceeds to fund artifact purchases and museum  
6 upgrades.

7 SECTION 4. This act shall become effective November 1, 2021.

8 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS  
9 February 4, 2021 - DO PASS  
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