

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 860

By: Dossett (J.J.)

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6 AS INTRODUCED

7 An Act relating to militia; amending 44 O.S. 2011,  
8 Sections 235, 235.1, as amended by Section 156,  
9 Chapter 304, O.S.L. 2012, and 235.2, as amended by  
10 Section 157, Chapter 304, O.S.L. 2012 (44 O.S. Supp.  
11 2020, Sections 235.1 and 235.2), which relate to the  
12 45th Infantry Division Museum; changing references to  
13 45th Infantry Division Museum to the Oklahoma  
14 National Guard Museum; removing approval from the  
15 Office of Management and Enterprise Services for the  
16 exchanging and selling of military artifacts, books  
17 and maps to fund purchases and upgrades; updating  
18 statutory language; and providing an effective date.

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

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

22 Section 235. There is hereby created the ~~45th Infantry Division~~  
23 Oklahoma National Guard Museum, to be under the supervision of the  
24 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

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

15 SECTION 2. AMENDATORY 44 O.S. 2011, Section 235.1, as  
16 amended by Section 156, Chapter 304, O.S.L. 2012 (44 O.S. Supp.  
17 2020, Section 235.1), is amended to read as follows:

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

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

11 SECTION 3. AMENDATORY 44 O.S. 2011, Section 235.2, as  
12 amended by Section 157, Chapter 304, O.S.L. 2012 (44 O.S. Supp.  
13 2020, Section 235.2), is amended to read as follows:

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

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

23 Upon declaring that certain military artifacts or military books  
24 and maps belonging to the ~~45th Infantry Division~~ Oklahoma National

1 Guard Museum are surplus to the needs of the museum, the Executive  
2 Director of the ~~45th Infantry Division~~ Oklahoma National Guard  
3 Museum is authorized to effect an exchange of the same on an  
4 equitable basis for military artifacts or military books and maps  
5 needed by the museum ~~with the approval of the Office of Management~~  
6 ~~and Enterprise Services~~ and to sell such military artifacts, books  
7 and maps and use the proceeds to fund artifact purchases and museum  
8 upgrades.

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

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