

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 3420
Version:	SAHB
Request Number:	NA
Author:	Rep. Osburn
Date:	5/4/2022
Impact:	Please see previous summary of this measure

Research Analysis

HB 3420 updates numerous provisions of the Civil Service and Human Capital Modernization Act building on reforms enacted last session in HB 1146.

Significant provisions include:

- Designating the Office of the Attorney General as the legal counsel for the Civil Service Division within the Office of Management and Enterprise Services (OMES), the provider of administrative law judges for act administration and the investigator and prosecutor for whistleblower claims;
- Allowing the Civil Service Division to employ attorneys or contract with private attorneys to serve as legal counsel to the Division;
- Modifying guidelines for the State Employee Dispute Resolution Program in certain areas such as timelines, applicability and mediation;
- Adding temporary employees, seasonal employees and those employed in trial periods to the list of employees exempt from the act;
- Abolishing the Oklahoma Merit Protection Commission and transferring all authority, duties, and assets associated with the commission to OMES;
- Updating guidelines related to the State Government Reduction-in-Force and Severance Benefits Act in certain areas such as the implementation plan and the provisions and framework of severance benefits packages;
- Exempting certain employees of the Department of Commerce from provisions of the Civil Service and Human Capital Management Act and requiring compensation comparable to similar positions in the private sector;
- Allowing the Civil Service Director of OMES to delegate authority to issue a final agency order to an agency administrative law judge and provides guidelines for the administrative law judge to follow; and
- Repeals numerous provision within the Oklahoma Personnel Act, contained in [Title 74, Section 840](#) et al. Repealed sections include: 1.2, 1.6B, 1.8-1.10, 1.12-1.13, 1.15, 1.19, 1.21, 2.5-2.6, 2.27A-2.27B, 2.27F-2.27G, 2.27I, 2.29, 3.2, 3.4-3.7, 3.9-3.17, 4.1-4.4, 4.6, 4.8-4.16, 5.1-5.2B, 5.4-5.9, 5.11-5.13A, 5.15-5.16, 5.18-5.21, 5.23-5.27, and 6.1-6.9.

The Senate amendment restores language allowing the Oklahoma Merit Protection Commission to continue until December 31, 2022.

Prepared By: Keana Swadley

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.

© 2021 Oklahoma House of Representatives, see Copyright Notice at www.okhouse.gov