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2nd Session of the 59th Legislature (2024)

ENGROSSED SENATE
BILL NO. 1707

By: Hamilton and Gollihare of
the Senate

and

Kannady of the House

An Act relating to State Veterans Homes; establishing State Veterans Home at Sallisaw; directing assumption of certain operations; amending 72 O.S. 2021, Section 222, which relates to the Oklahoma Department of Veterans Affairs Revolving Fund; conforming and updating language; amending 72 O.S. 2021, Section 229, as amended by Section 16, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229), which relates to State Veterans Home at Talihina; directing transfer of operations upon certain date; removing obsolete language; modifying statutory reference; amending 72 O.S. 2021, Section 229.1, as amended by Section 17, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229.1), which relates to authority to plan, develop, and construct Oklahoma veterans facilities; specifying facility to assume certain operations; modifying requirements for location of facilities; broadening allowed uses of certain proceeds; amending 72 O.S. 2021, Section 240, as amended by Section 18, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 240), which relates to petty cash funds; conforming language; providing for codification; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 229.2 of Title 72, unless there
3 is created a duplication in numbering, reads as follows:

4 A. There is hereby established, in addition to the other State
5 Veterans Homes established under this title, the State Veterans Home
6 at Sallisaw, Oklahoma, on the site determined by the Oklahoma
7 Veterans Commission under subsections C and D of Section 229.1 of
8 Title 72 of the Oklahoma Statutes.

9 B. The State Veterans Home at Sallisaw shall assume operations
10 of the State Veterans Home at Talihina, Oklahoma, established under
11 Section 229 of Title 72 of the Oklahoma Statutes, upon the date
12 determined by the Commission under such section.

13 SECTION 2. AMENDATORY 72 O.S. 2021, Section 222, is
14 amended to read as follows:

15 Section 222. A. There is hereby created in the State Treasury
16 a revolving fund for the Oklahoma Department of Veterans Affairs to
17 be known as the ~~Oklahoma~~ "Oklahoma Department of Veterans Affairs
18 Revolving ~~Fund~~ Fund". The revolving fund shall consist of all funds
19 and monies received by the Oklahoma Department of Veterans Affairs,
20 its constituent institutions, and/or, the Oklahoma Veterans
21 Commission, from any gifts, contributions, bequests, individual
22 reimbursements except as otherwise provided by law, and other
23 sources of revenue, for the care or support of war veterans
24 discharged other than under dishonorable conditions, who have been

1 admitted and cared for at the Oklahoma Department of Veterans
2 Affairs Centers, at Ardmore, Claremore, Clinton, Lawton/Ft. Sill,
3 Norman, Sulphur or ~~Talihina~~ Sallisaw. Provided, no grants-in-aid,
4 reimbursements, or other revenue from the United States government
5 or any instrumentality of the United States government shall be
6 deposited in the fund. Provided further, nothing contained herein
7 prohibits the establishment and utilization of special agency
8 accounts by the Oklahoma Department of Veterans Affairs and its
9 constituent institutions, as may be approved by the ~~Special Agency~~
10 ~~Account Board~~ Director of the Office of Management and Enterprise
11 Services, for receipt and disbursement of the personal funds of
12 Veteran Center patients and members and/or for receipt and
13 disbursement of charitable contributions and donations for use by
14 and for patients and members.

15 B. The revolving fund herein created shall be used by the
16 Oklahoma Department of Veterans Affairs to pay for the care of war
17 veterans discharged other than under dishonorable conditions, in
18 Veterans Centers, to pay the general operating expenses of the
19 Veterans Centers, including the payment of salaries and wages of
20 officials and employees, to pay for the employee safety programs and
21 incentive awards provided for in Section 63.10a of this title, and
22 to remodel, repair, construct, build additions, modernize, or add
23 improvements of domiciliary or hospital buildings necessary for the
24 care of veterans, including tuberculosis, mentally ill or

1 neuropsychiatric patients, but not excluding others; and
2 architectural plans, specifications, or other costs pertinent
3 thereto.

4 C. The Oklahoma Department of Veterans Affairs may transfer
5 monies from the revolving fund created in this section to the W.V.C.
6 Revolving Fund in the State Treasury.

7 D. All expenditures from the revolving fund shall be made upon
8 warrants issued by the State Treasurer based upon claims approved by
9 the Oklahoma Department of Veterans Affairs, as provided by law, and
10 filed with the Director of the Office of Management and Enterprise
11 Services for approval and payment.

12 SECTION 3. AMENDATORY 72 O.S. 2021, Section 229, as
13 amended by Section 16, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023,
14 Section 229), is amended to read as follows:

15 Section 229. A. Until operations are transferred pursuant to
16 subsection B of this section, there is hereby established, in
17 addition to the other State Veterans Homes established by ~~Sections~~
18 ~~221 and 226 of this title~~, the State Veterans Home at Talihina,
19 Oklahoma, on the site of the Oklahoma State Sanatorium, Talihina,
20 Oklahoma. ~~All persons serving as employees of the Oklahoma State~~
21 ~~Sanatorium under the provisions of the State Merit System of~~
22 ~~Personnel Administration shall continue to serve as employees of the~~
23 ~~State Veterans Home at Talihina, provided that such employees remain~~
24 ~~in the classified service. All employees hired by the State~~

~~Veterans Home at Talihina on or after July 1, 1975, shall be under the Oklahoma Merit System of Personnel Administration, except one manager, one principal assistant or deputy, one private secretary, part-time physicians and other professional personnel engaged in clinical and consultant services. The average number of full-time equivalent employees utilized in the total operation of the State Veterans Home, Talihina, shall not exceed one hundred fifty-three (153) during the fiscal year ending June 30, 1976. The buildings, equipment and land under the jurisdiction of the Oklahoma State Sanatorium, Talihina, are hereby transferred to the State Veterans Home, Talihina.~~

B. Upon a date to be determined by the Oklahoma Veterans Commission, operations of the State Veterans Home at Talihina established under this section shall be transferred to the State Veterans Home at Sallisaw, Oklahoma, established under Section 1 of this act.

SECTION 4. AMENDATORY 72 O.S. 2021, Section 229.1, as amended by Section 17, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229.1), is amended to read as follows:

Section 229.1. A. The Oklahoma Department of Veterans Affairs is authorized to plan, develop and construct two long-term care facilities for the following purposes:

1. To assume the operations of the State Veterans Home established in Talihina pursuant to Section 229 of this title. In

1 accordance with Section 229 of this title and Section 1 of this act,
2 the facility to assume operations of the State Veterans Home at
3 Talihina shall be the State Veterans Home at Sallisaw, Oklahoma,
4 established under Section 1 of this act; and

5 2. To replace the State Veterans Home established in Ardmore
6 pursuant to Section 221 of this title.

7 B. For the two long-term care facilities authorized in
8 subsection A of this section, the Department may construct new
9 facilities or refurbish any existing facilities on property
10 currently owned by this state or on property purchased or donated
11 from other sources including but not limited to private owners,
12 tribal entities or other governmental or municipal entities.

13 C. 1. ~~The location of the facility referenced in paragraph 1~~
14 ~~of subsection A of this section shall be subject only to such~~
15 ~~geographical constraints as are imposed by the United States~~
16 ~~Department of Veterans Affairs to preserve and continue recognition~~
17 ~~and certification of the facility as a State Veterans Home~~ located
18 within or near the corporate limits of the City of Sallisaw.

19 2. The facility referenced in paragraph 2 of subsection A of
20 this section shall be located within the corporate limits of the
21 ~~city~~ City of Ardmore or within five (5) miles of the corporate
22 limits of the ~~city~~ City of Ardmore.

23 D. The locations and sites of the two facilities referenced in
24 subsection A of this section shall be determined by the Oklahoma

1 Veterans Commission, subject to such geographical constraints as are
2 imposed by the United States Department of Veterans Affairs for
3 certification as a State Veterans Home. The Oklahoma Veterans
4 Commission may consider any and all criteria which, in its sole
5 discretion, further the interests of Oklahoma veterans.

6 E. The project constituting the construction of the
7 replacement, long-term care facility for the Ardmore Veterans Home
8 shall be exempt from the requirements of Sections 9030 through
9 9030.8 of Title 74 of the Oklahoma Statutes.

10 F. The proceeds received from the sale of the State Veterans
11 Home in Talihina, along with all associated real and personal
12 property, shall belong to the Oklahoma Department of Veterans
13 Affairs and shall be used for any one or more of the following
14 purposes:

15 1. To purchase land upon which the replacement, long-term care
16 facility for the Ardmore Veterans Home will be located;

17 2. To purchase any other personal property needed for the
18 construction and furnishing of the replacement, long-term care
19 facility for the Ardmore Veterans Home; ~~and~~

20 3. To fund operations of the State Veterans Home at Sallisaw;
21 and

22 4. To complete the state match for a grant offered under the
23 State Veterans Home Construction Grant Program of the United States
24 Department of Veterans Affairs.

1 SECTION 5. AMENDATORY 72 O.S. 2021, Section 240, as
2 amended by Section 18, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023,
3 Section 240), is amended to read as follows:

4 Section 240. There is hereby created a petty cash fund at the
5 Oklahoma Department of Veterans Affairs, at the State Veterans Home,
6 Ardmore, Oklahoma, at the State Veterans Home, Clinton, Oklahoma, at
7 the State Veterans Home, Sulphur, Oklahoma, at the State Veterans
8 Home, ~~Talihina~~ Sallisaw, Oklahoma, at the State Veterans Home,
9 Norman, Oklahoma, at the State Veterans Home, Claremore, Oklahoma,
10 and at the State Veterans Home, Lawton/Ft. Sill, Oklahoma. The
11 Director of the Office of Management and Enterprise Services and the
12 Director of the Oklahoma Department of Veterans Affairs are
13 authorized to fix the maximum amount of these petty cash funds and
14 the Director of the Office of Management and Enterprise Services
15 shall prescribe the rules and procedures for the administration of
16 these petty cash funds.

17 SECTION 6. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21
22 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS,
23 dated 04/02/2024 - DO PASS.
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