

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1384

By: Stanley of the Senate

and

West (Josh) of the House

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8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Veterans Commission;  
11 amending 72 O.S. 2021, Section 63.2, which relates to  
12 members of the Commission; eliminating certain  
13 limitations on membership; modifying procedures for  
14 appointment of members representing veterans'  
15 organizations; modifying qualifications of at-large  
16 members; decreasing required number of appointee  
17 submissions; modifying requirements for submission of  
18 certain information by veterans' organization;  
19 establishing certain appointment procedure in case of  
20 noncompliance by veterans' organizations; specifying  
21 and modifying certain procedures for filling of  
22 vacancies; specifying beginning and expiration date  
23 of terms; imposing term limit on membership;  
24 clarifying language; authorizing acting or interim  
appointments under certain conditions; and declaring  
an emergency.

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

SECTION 1. AMENDATORY 72 O.S. 2021, Section 63.2, is  
amended to read as follows:

1 Section 63.2. A. The Oklahoma Veterans Commission shall  
2 consist of nine (9) members, all of whom shall be honorably  
3 discharged veterans; ~~provided, one of the members shall be a veteran~~  
4 ~~of the Vietnam Conflict and two shall be veterans of the Persian~~  
5 ~~Gulf Wars. The members shall be selected in the following manner:~~  
6 ~~The state executive board or committees of the veterans'~~  
7 ~~organizations named in this section shall each submit to the~~  
8 ~~Governor a list of five persons qualified to serve as members of the~~  
9 ~~Oklahoma Veterans Commission.~~ The members of the Commission shall  
10 be appointed by the Governor with the advice and consent of the  
11 Senate and shall serve at the pleasure of the Governor. All  
12 appointments shall be broadly representative of the veterans of this  
13 state in terms of age, gender, and race or ethnicity. ~~The list~~  
14 ~~shall be submitted to the Governor not later than three (3) months~~  
15 ~~prior to the expiration of the terms of office of the members of the~~  
16 ~~Oklahoma Veterans Commission. The Governor shall name one member~~  
17 ~~from each of the following Veterans' groups: the American Legion;~~  
18 ~~the Veterans of Foreign Wars; the Disabled American Veterans; the~~  
19 ~~Paralyzed Veterans of America; the Military Order of the Purple~~  
20 ~~Heart; and the National Guard Association of Oklahoma. The members~~  
21 ~~representing the American Legion and the Paralyzed Veterans of~~  
22 ~~America shall take office no later than July 1, 2015. The members~~  
23 ~~representing the Veterans of Foreign Wars and the Military Order of~~  
24 ~~the Purple Heart shall take office no later than July 1, 2016. The~~

1 ~~members representing the Disabled American Veterans and the National~~  
2 ~~Guard Association of Oklahoma shall take office no later than July~~  
3 ~~1, 2017.~~

4 B. 1. Except as provided by paragraph 3 of subsection C of  
5 this section, the Governor shall appoint six of the members from  
6 lists of names provided by the executive officer of each of the  
7 following veterans' organizations in accordance with paragraph 1 of  
8 subsection C of this section:

- 9 a. the American Legion,
- 10 b. the Veterans of Foreign Wars of the United States,
- 11 c. the Disabled American Veterans,
- 12 d. the Paralyzed Veterans of America,
- 13 e. the Military Order of the Purple Heart, and
- 14 f. the National Guard Association of Oklahoma.

15 2. The Governor shall also appoint three members at large, at  
16 least one of whom shall have completed his or her military service  
17 on or after September 11, 2001.

18 ~~The executive officer of each veterans' organization operating~~  
19 ~~within this state shall, on~~

20 C. Appointments to the Commission for the six members  
21 representing veterans' organizations shall be made as prescribed by  
22 this subsection.

23 1. On or before ~~January~~ March 1 of the year in which the term  
24 of the organization's ~~appointee's term~~ appointee expires, the

1 executive officer of the organization shall submit to the Secretary  
2 of State, the Governor, the President Pro Tempore of the Senate, and  
3 the Speaker of the House of Representatives a copy of the  
4 performance audit and the financial audit of the organization for  
5 the immediately preceding fiscal year of the organization. Such  
6 audits shall be conducted in accordance with auditing standards  
7 generally accepted in the United States and shall clearly show the  
8 total paid membership of the organization and shall be certified to  
9 by a certified public accountant. Failure the following:

- 10       a. a list of three persons qualified to serve as members  
11           of the Commission,
- 12       b. a certificate of good standing for the organization  
13           issued by the Secretary of State,
- 14       c. a copy of the organization's state and federal tax  
15           returns for the immediately preceding tax year  
16           including but not limited to the federal Return of  
17           Organization Exempt From Income Tax (Form 990), and
- 18       d. a statement that describes the mission of the  
19           organization and the services provided by the  
20           organization and estimates to the best of the  
21           executive officer's knowledge the total number of  
22           veterans the organization served in the preceding  
23           calendar year.

1        2. For each veterans' organization that complies with paragraph  
2 1 of this subsection, the Governor shall appoint a member to the  
3 Commission from the list of names provided by the organization.

4        3. If the organization fails to comply with this section shall  
5 ~~render the organization ineligible to submit a nominee to the~~  
6 ~~Governor. The members of the Commission shall be appointed by the~~  
7 ~~Governor with advice and consent of the Senate, and shall serve at~~  
8 ~~the pleasure of the Governor~~ paragraph 1 of this subsection, the  
9 Governor may appoint a member at large in lieu of a member  
10 representing the particular organization for the duration of the  
11 term. At the conclusion of the term, the appointment shall revert  
12 to an appointee representing the particular organization, subject to  
13 the requirements and process provided by this subsection.

14        D. Any vacancy on the Commission resulting from any cause shall  
15 be filled by appointment by the Governor for the remainder of the  
16 term as provided by this subsection.

17        1. When a vacancy of one of the three at-large members on the  
18 Commission occurs, the Governor shall promptly appoint a member at  
19 large to fill the vacancy.

20        2. When a vacancy of one of the six members representing  
21 veterans' organizations on the Oklahoma Veterans Commission occurs,  
22 the executive officer of the organization which is represented by  
23 the vacant position shall, not later than thirty (30) days after the  
24 vacancy occurs, submit a list of ~~five~~ three names of qualified

1 persons and all other information required by paragraph 1 of  
2 subsection C of this section to the Governor. The

3 3. For each veterans' organization that complies with paragraph  
4 2 of this subsection, the Governor shall choose a replacement from  
5 that the list provided by the organization. If the organization  
6 fails to comply with paragraph 2 of this subsection, the Governor  
7 may appoint a member at large in lieu of a member representing the  
8 particular organization for the remainder of the unexpired term. At  
9 the conclusion of the term, the appointment shall revert to an  
10 appointee representing the particular organization, subject to the  
11 requirements and process provided by subsection C of this section.

12 E. Current members of the Commission shall continue in office  
13 until the expiration of their terms and until their successors are  
14 appointed and enter upon the duties of their offices.

15 F. Appointments shall be made for terms of three (3) years.  
16 Terms shall begin and expire on July 1 of the respective years. No  
17 member shall serve for more than two consecutive full terms.

18 G. 1. No person shall be appointed by the Governor who is  
19 related by affinity or consanguinity within the third degree to any  
20 person employed by the Oklahoma Department of Veterans Affairs.

21 2. Before any member appointed as provided herein shall enter  
22 upon his or her duties as a member of the Commission, he or she  
23 shall take and subscribe to the oath of office as required by the  
24 Constitution of this state.

1 ~~Present members of the Commission shall continue in office until~~  
2 ~~the expiration of their terms and until their successors are~~  
3 ~~appointed and enter upon the duties of their offices. Appointments~~  
4 ~~shall be made for a three-year period. Any vacancy on the~~  
5 ~~Commission resulting from any cause shall be filled by appointment~~  
6 ~~by the Governor for the remainder of the term as provided in this~~  
7 ~~section.~~

8 3. No member of the ~~Oklahoma Veterans Commission~~ shall be  
9 employed by the ~~Oklahoma Department of Veterans Affairs~~ Department  
10 during the time of his or her service on the ~~Oklahoma Veterans~~  
11 Commission nor shall any person who served as a member of the  
12 ~~Oklahoma Veterans Commission~~ be employed by the ~~Oklahoma Department~~  
13 ~~of Veterans Affairs~~ Department subsequent to his or her service on  
14 the Commission for a period of two (2) years.

15 H. Notwithstanding any other provision of law, a person whose  
16 nomination has been submitted to the Legislature to fill a vacancy  
17 on the Commission that existed as of the effective date of this act  
18 may be appointed to the Commission on an acting or interim basis,  
19 may assume the duties of the office, and may receive any  
20 compensation or travel reimbursement allowed by law for the position  
21 pending confirmation by the Senate if the term of the former member  
22 whose position is vacant has expired as of the effective date of  
23 this act and if the nominee meets the qualifications prescribed by  
24 this section.

1 SECTION 2. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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