

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1384

By: Stanley

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5  
6 AS INTRODUCED

7 An Act relating to the Oklahoma Veterans Commission;  
8 amending 72 O.S. 2021, Section 63.2, which relates to  
9 members of the Commission; eliminating certain  
10 limitations on membership; modifying procedures for  
11 appointment of members representing veterans'  
12 organizations; modifying qualifications of at-large  
13 members; decreasing required number of appointee  
14 submissions; modifying information required to be  
15 submitted by veterans' organization; establishing  
16 certain appointment procedure in case of  
17 noncompliance by veterans' organizations; specifying  
18 and modifying certain procedures for filling of  
19 vacancies; clarifying language; and declaring an  
20 emergency.

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

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

24 Section 63.2. A. The Oklahoma Veterans Commission shall  
25 consist of nine (9) members, all of whom shall be honorably  
26 ~~discharged veterans; provided, one of the members shall be a veteran~~  
27 ~~of the Vietnam Conflict and two shall be veterans of the Persian~~  
28 ~~Gulf Wars. The members shall be selected in the following manner:~~  
29 ~~The state executive board or committees of the veterans'~~

1 ~~organizations named in this section shall each submit to the~~  
2 ~~Governor a list of five persons qualified to serve as members of the~~  
3 ~~Oklahoma Veterans Commission. The members of the Commission shall~~  
4 ~~be appointed by the Governor with advice and consent of the Senate,~~  
5 ~~and shall serve at the pleasure of the Governor. All appointments~~  
6 ~~shall be broadly representative of the veterans of this state in~~  
7 ~~terms of age, gender, and race or ethnicity. ~~The list shall be~~~~  
8 ~~submitted to the Governor not later than three (3) months prior to~~  
9 ~~the expiration of the terms of office of the members of the Oklahoma~~  
10 ~~Veterans Commission. The Governor shall name one member from each~~  
11 ~~of the following Veterans' groups: the American Legion; the~~  
12 ~~Veterans of Foreign Wars; the Disabled American Veterans; the~~  
13 ~~Paralyzed Veterans of America; the Military Order of the Purple~~  
14 ~~Heart; and the National Guard Association of Oklahoma. The members~~  
15 ~~representing the American Legion and the Paralyzed Veterans of~~  
16 ~~America shall take office no later than July 1, 2015. The members~~  
17 ~~representing the Veterans of Foreign Wars and the Military Order of~~  
18 ~~the Purple Heart shall take office no later than July 1, 2016. The~~  
19 ~~members representing the Disabled American Veterans and the National~~  
20 ~~Guard Association of Oklahoma shall take office no later than July~~  
21 ~~1, 2017.~~

22 B. 1. Except as provided by paragraph 3 of subsection C of  
23 this section, the Governor shall appoint six of the members from  
24 lists of names provided by the executive officer of each the

1 following veterans' organizations in accordance with paragraph 1 of  
2 subsection C of this section:

- 3 a. the American Legion,
- 4 b. the Veterans of Foreign Wars of the United States,
- 5 c. the Disabled American Veterans,
- 6 d. the Paralyzed Veterans of America,
- 7 e. the Military Order of the Purple Heart, and
- 8 f. the National Guard Association of Oklahoma.

9 2. The Governor shall also appoint three members at large, at  
10 least one of whom shall have completed their military service on or  
11 after September 11, 2001.

12 ~~The executive officer of each veterans' organization operating~~  
13 ~~within this state shall, on or before January 1 of the year in which~~

14 C. Appointments to the Commission for the six members  
15 representing veterans' organizations shall be made as prescribed by  
16 this subsection.

17 1. Not later than three (3) months prior to the expiration of  
18 the term of the organization's ~~appointee's term expires~~ appointee,  
19 the executive officer of the organization shall:

- 20 a. submit to the Governor a list of three persons  
21 qualified to serve as members of the Commission, and
- 22 b. submit to the ~~Secretary of State,~~ the Governor, the  
23 President Pro Tempore of the Senate, and the Speaker  
24 of the House of Representatives ~~a copy of the~~

1 ~~performance audit and the financial audit of the~~  
2 ~~organization for the immediately preceding fiscal year~~  
3 ~~of the organization. Such audits shall be conducted~~  
4 ~~in accordance with auditing standards generally~~  
5 ~~accepted in the United States and shall clearly show~~  
6 ~~the total paid membership of the organization and~~  
7 ~~shall be certified to by a certified public accountant~~  
8 the following:

9 (1) a certificate of good standing issued by the  
10 Secretary of State,

11 (2) a copy of the organization's state and federal  
12 tax returns for the immediately preceding tax  
13 year including but not limited to the federal  
14 Return of Organization Exempt From Income Tax  
15 (Form 990), and

16 (3) a statement that describes the mission of the  
17 organization and the services provided by the  
18 organization, and estimates to the best of the  
19 executive officer's knowledge the total number of  
20 veterans the organization served in the preceding  
21 calendar year.

22 ~~Failure~~ 2. For each veterans' organization that complies with  
23 paragraph 1 of this subsection, the Governor shall appoint a member  
24

1 to the Commission from the list of names provided by the  
2 organization.

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

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

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

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

1 all other information required by paragraph 1 of subsection C of  
2 this section. 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 a three-year period. No  
16 member shall serve for more than two (2) consecutive full terms.

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

20 2. Before any member appointed as provided herein shall enter  
21 upon his or her duties as a member of the Commission, he or she  
22 shall take and subscribe to the oath of office as required by the  
23 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 SECTION 2. It being immediately necessary for the preservation  
16 of the public peace, health or safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

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