

1 ENGROSSED HOUSE
2 BILL NO. 3940

By: West (Josh) of the House

3 and

4 Hines of the Senate

5 An Act relating to militia; amending 44 O.S. 2021,
6 Section 26, as amended by Section 4, Chapter 344,
7 O.S.L. 2025 (44 O.S. Supp. 2025, Section 26), which
8 relates to authority under the Adjutant General;
9 providing additional authority; updating specific
10 titles; amending 44 O.S. 2021, Section 27, which
11 relates to compensation; removing Adjutant General;
12 amending 44 O.S. 2021, Section 243, as amended by
13 Section 6, Chapter 344, O.S.L. 2025 (44 O.S. Supp.
14 2025, Section 243), which relates to the Governor's
15 authority over state militia; deleting provision
16 subjecting the state militia to the Oklahoma Uniform
17 Code of Military Justice; amending Section 18,
18 Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025, Section
19 271), which relates to supplemental pay; modifying
20 revolving fund name; amending Section 19, Chapter
21 344, O.S.L. 2025 (44 O.S. Supp. 2025, Section 272),
22 which relates to the Oklahoma National Guard
23 Supplemental Retention Pay Revolving Fund; modifying
24 fund name; amending 44 O.S. 2021, Section 815, as
amended by Section 7, Chapter 344, O.S.L. 2025 (44
O.S. Supp. 2025, Section 815), which relates to the
commanding officer's nonjudicial punishment
authority; deleting certain pay grade provisions;
amending Section 1, Chapter 390, O.S.L. 2025 (70 O.S.
Supp. 2025, Section 14-140), which relates to the
Oklahoma National Guard CareerTech Assistance Act;
updating eligibility requirements; modifying name of
short title; updating eligibility requirements;
amending 44 O.S. 2021, Section 235, which relates to
the Oklahoma National Guard Museum; modifying
identifying information regarding the Oklahoma
National Guard Museum; removing the lease policy for
a gift shop; establishing a permanent gift shop;
directing funds to the Oklahoma National Guard Museum
Fund; amending 44 O.S. 2021, Section 235.1, which
relates to the Oklahoma National Guard Museum Fund;
creating a revolving fund; adding sources of funds to
be deposited in the Oklahoma National Guard Museum

1 Fund; allowing for transfer of education benefits;
2 limiting state benefits to active duty members;
3 providing for recodification; providing for
4 codification; and providing an effective date.

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

6 SECTION 1. AMENDATORY 44 O.S. 2021, Section 26, as
7 amended by Section 4, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025,
8 Section 26), is amended to read as follows:

9 Section 26. A. The Adjutant General shall be in control of the
10 Military Department of the State of Oklahoma, subordinate only to
11 the Governor. Within the limitations and under the provisions of
12 law, he or she shall supervise and direct the Oklahoma National
13 Guard within the service of the state and when under state control
14 in all of its organization, training and other activities; shall
15 receive and give effect to the orders of the Governor; and shall
16 perform such other military and defense duties, not otherwise
17 assigned by law, as the Governor may prescribe. The Adjutant
18 General shall have the authority to arm members of the state
19 military forces on military installations and other places under the
20 control of the Military Department with weaponry as the Adjutant
21 General deems necessary to adequately provide for the security of
22 the facilities and their occupants.

23 B. The Adjutant General, when absent from the state, may
24 temporarily delegate any authority vested under this title and any

1 such duties as an agency appointing authority to an Assistant
2 Adjutant General, other state officer or employee within the
3 Military Department of the State of Oklahoma. Such temporary
4 delegations of authority pursuant to this subsection shall be
5 accomplished in writing. The Adjutant General may also promulgate
6 regulations providing for the delegation of any such authority.

7 C. The Adjutant General shall develop, publish and maintain an
8 organizational chart depicting the chain of command between the
9 Adjutant General and the major commands of the Oklahoma National
10 Guard. Besides the major commands defined in Section 801 of this
11 title (Article 1), the Adjutant General, in his or her discretion,
12 may designate other military units within the Oklahoma National
13 Guard as major commands.

14 D. The organizational chart required in subsection C of this
15 section shall be updated no less than annually and shall include all
16 enlisted and officer billets assigned to joint ~~forces~~ force
17 headquarters and shall depict all existing command relationships
18 established by the Adjutant General within joint ~~forces~~ force
19 headquarters. The organizational chart required herein shall not be
20 considered a military publication within the meaning of Section 801
21 of this title (Article 1).

22 E. In accordance with all relevant requirements of the United
23 States Army, the United States Air Force or the National Guard
24 Bureau, the Adjutant General shall develop, publish and maintain an

1 enlisted and officer rating scheme for all enlisted and officer
2 billets assigned to joint ~~forces~~ force headquarters. The rating
3 scheme required herein shall not be considered a military
4 publication within the meaning of Section 801 of this title (Article
5 1).

6 F. Pursuant to the rules established by the Adjutant General,
7 the Military Department of the State of Oklahoma is authorized to
8 expend appropriated and nonappropriated funds to enhance recruiting
9 and retention efforts for the Oklahoma National Guard.

10 G. The Adjutant General may establish rules allowing the
11 Military Department of the State of Oklahoma to accept donations and
12 bequests to create a program for the benefit of members of the
13 Oklahoma National Guard. The purpose of any bequests may be
14 redefined by the Adjutant General in the event the original purpose
15 is covered by some other section of law or source of funding.

16 H. The Adjutant General shall serve as the chief of all fire
17 protection units operating under the Oklahoma Military Department
18 and shall supervise and administer the fire protection units in
19 accordance with the rules and procedures prescribed by the Military
20 Department.

21 I. The Adjutant General shall serve as the ~~chief~~ commissioner
22 of all police units and officers appointed under the Oklahoma
23 Military Department. The Adjutant General may appoint police
24 officers in accordance with Section 230 of this title.

1 SECTION 2. AMENDATORY 44 O.S. 2021, Section 27, is
2 amended to read as follows:

3 Section 27. The ~~Adjutant General and~~ Assistant Adjutants
4 General shall be paid a sum equivalent to the pay of his/her
5 federally recognized rank, exclusive of allowances. Other officers
6 and enlisted men and employees of the Department shall be paid in
7 amounts fixed by the Adjutant General and within amounts
8 appropriated for that purpose.

9 SECTION 3. AMENDATORY 44 O.S. 2021, Section 243, as
10 amended by Section 6, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025,
11 Section 243), is amended to read as follows:

12 Section 243. A. The Governor is hereby authorized to prescribe
13 rules and regulations governing the enlistment, organization,
14 administration, equipment, discipline and discharge of the personnel
15 of such military forces; to requisition from the Secretary of
16 Defense such arms and equipment as may be in the possession of and
17 can be spared by the Department of Defense and to extend thereto the
18 facilities of state armories, Armed Forces Reserve Centers,
19 readiness centers, logistics, aviation, and training facilities,
20 warehouses and their equipment and such other state premises and
21 property as may be available for the purpose of drill and
22 instruction.

23 B. ~~Members of the Oklahoma National Guard shall be considered~~
24 ~~part of state military forces as defined in Section 801 of this~~

1 ~~title and shall be subject to the Oklahoma Uniform Code of Military~~
2 ~~Justice.~~

3 ~~C. Any full-time state employee that serves in a military~~
4 ~~capacity shall receive compensation equaling the compensation,~~
5 ~~benefits, entitlements, or other compensation received by a full-~~
6 ~~time active-duty service member at the same rank and time in grade.~~

7 D. When prescribing the rules and regulations governing
8 enlistment, organization, administration, equipment, discipline and
9 discharge of the personnel of the Oklahoma ~~National~~ State Guard, the
10 Governor shall issue such rules and regulations in the form of an
11 executive order or in a series of such orders. An executive order
12 or a series of such orders prescribing the rules and regulations
13 governing enlistment, organization, administration, equipment,
14 discipline and discharge of the personnel of the Oklahoma ~~National~~
15 State Guard shall also be published by the Adjutant General as a
16 military publication.

17 SECTION 4. AMENDATORY Section 18, Chapter 344, O.S.L.
18 2025 (44 O.S. Supp. 2025, Section 271), is amended to read as
19 follows:

20 Section 271. A. The provisions of this section shall not be
21 operative and no payments shall be made from the Oklahoma National
22 Guard Supplemental ~~Retirement~~ Retention Pay Revolving Fund created
23 in Section ~~19~~ 272 of this act ~~title~~ until ~~November 1, 2027~~ January
24 1, 2027, or until funds are appropriated, whichever date is earlier.

1 B. The provisions of this section shall only be applicable to a
2 member of the Oklahoma National Guard who has accrued enough service
3 credit ~~prior to the effective date of this act~~ in order to retire
4 from the system maintained by the Defense Finance and Accounting
5 Service, or its successor in interest, for the benefit of members of
6 state National Guards, but who has not attained the required age
7 prior to the effective date of this act in order to be paid the full
8 amount of such benefit. No member of the Oklahoma National Guard
9 shall be eligible to receive a payment pursuant to the provisions of
10 this section unless the member has completed twenty-five (25) years
11 of military service and retires as a member of the Oklahoma National
12 Guard.

13 C. The provisions of this section shall not be applicable to
14 any person who ~~retires with an active duty military pension~~ is
15 receiving federal benefits pursuant to 10 U.S.C., Section 12732.

16 D. The amount of the payment shall be determined as follows:

17 1. Determine the amount of retirement the member would receive
18 if the member had reached the age to accrue federal retirement
19 benefits based upon total points accrued;

20 2. If the members of the active duty military retirement system
21 were eligible for a cost-of-living adjustment for the year for which
22 the computation of the payment amount authorized by this section is
23 to be made, the cost-of-living adjustment amount in an annualized
24

1 form shall be added to the result of the computation in paragraph 1
2 of this subsection each year; and

3 3. The resulting amount shall be paid to the Oklahoma National
4 Guard member in twelve (12) equal monthly amounts with allowance as
5 required for rounding.

6 E. Any benefit payable to an eligible member of the Oklahoma
7 National Guard shall only be payable during the member's lifetime,
8 and no benefit authorized pursuant to the provisions of this section
9 shall be payable to a beneficiary other than amounts paid to a
10 member prior to the member's death which are payable to another
11 person pursuant to the provisions of a joint tenancy bank account
12 with a right of survivorship naming a person or persons as
13 beneficiary, a bank account with a transfer on death or payable on
14 death feature, an express trust, including, but not limited to, a
15 trust created by the payee member during his or her lifetime, a will
16 or the statute of intestate succession for distribution of the
17 assets of a person who does not otherwise provide for the
18 disposition of his or her assets after death.

19 F. The payment otherwise authorized pursuant to the provisions
20 of this ~~act~~ title may only be made to a person who has become
21 eligible to receive retirement benefits from the retirement system
22 under the supervision of the Defense Finance and Accounting Service,
23 or its successor in interest, as of the date the first payment
24 pursuant to this ~~act~~ title is authorized.

1 G. The payments authorized by this section shall be paid to the
2 eligible member until the member begins to receive federal
3 retirement benefits from the Defense Finance and Accounting Service,
4 or its successor in interest, but shall not be paid for any period
5 of time after such time period.

6 H. In the event the funds required for full payment to all
7 eligible members pursuant to the provisions of this section are not
8 sufficient, the payments to the eligible members shall be prorated
9 by dividing the total number of eligible members by the total amount
10 of available funds. The resulting quotient shall be multiplied by
11 the payment amount otherwise due to the eligible member and the
12 result of that computation shall be the reduced dollar amount paid
13 to each member for the applicable period. For any period of time
14 during which payments are prorated pursuant to this subsection, the
15 next increment of available funds shall be used to make payments to
16 the eligible members whose payment amounts were prorated to
17 compensate for the reduction made in the prior payment period.

18 SECTION 5. AMENDATORY Section 19, Chapter 344, O.S.L.
19 2025 (44 O.S. Supp. 2025, Section 272), is amended to read as
20 follows:

21 Section 272. There is hereby created in the State Treasury a
22 revolving fund for the Oklahoma Military Department to be designated
23 the "Oklahoma National Guard Supplemental ~~Retirement~~ Retention Pay
24 Revolving Fund". The fund shall be a continuing fund, not subject

1 to fiscal year limitations, and shall consist of all monies received
2 by the Oklahoma Military Department from funds provided by law. All
3 monies accruing to the credit of said fund are hereby appropriated
4 and may be budgeted and expended by the Oklahoma Military Department
5 for the purpose of implementing the provisions of Section ~~18~~ 271 of
6 this ~~act~~ title. Expenditures from said fund shall be made upon
7 warrants issued by the State Treasurer against claims filed as
8 prescribed by law with the Director of the Office of Management and
9 Enterprise Services for approval and payment.

10 SECTION 6. AMENDATORY 44 O.S. 2021, Section 815, as
11 amended by Section 7, Chapter 344, O.S.L. 2025 (44 O.S. Supp. 2025,
12 Section 815), is amended to read as follows:

13 Section 815. ARTICLE 15. Commanding officer's nonjudicial
14 punishment.

15 A. Except as provided in subsection B of this section, any
16 commanding officer may impose disciplinary punishments for minor
17 offenses arising under the punitive articles of the Oklahoma Uniform
18 Code of Military Justice without the intervention of a court-
19 martial.

20 B. Any commanding officer may limit or withhold the exercise of
21 nonjudicial punishment authority by subordinate commanders,
22 including limiting authority over certain categories of military
23 personnel or offenses. Likewise, individual cases may be reserved
24 by a superior commander. A superior authority may limit or withhold

1 any power that a subordinate might otherwise exercise under this
2 section.

3 C. Except as provided in subsection L of this section, the
4 Governor or Adjutant General may delegate the powers established
5 under this section to a commanding officer who is a member of the
6 state military forces and is also a member of the same force
7 component as the accused.

8 D. Except as provided in subsection S of this section, any
9 commanding officer may impose upon enlisted members of the officer's
10 command:

11 1. An admonition;

12 2. A reprimand;

13 3. The withholding of privileges for not more than six (6)
14 months which need not be consecutive;

15 4. The forfeiture of pay of not more than seven (7) days' pay;

16 5. A fine of not more than seven (7) days' pay;

17 6. A reduction to the next inferior pay grade, ~~if the grade~~
18 ~~from which demoted is within the promotion authority of the officer~~
19 ~~imposing the reduction or any officer subordinate to the one who~~
20 ~~imposes the reduction;~~

21 7. Extra duties, including fatigue or other duties, for not
22 more than fourteen (14) days, which need not be consecutive; and
23
24

1 8. Restriction to certain specified limits, with or without
2 suspension from duty, for not more than fourteen (14) days, which
3 need not be consecutive.

4 E. Except as provided in subsection S of this section, any
5 commanding officer of the grade of major or above may impose upon
6 enlisted members of the officer's command:

7 1. An admonition;

8 2. A reprimand;

9 3. The withholding of privileges for not more than six (6)
10 months which need not be consecutive;

11 4. The forfeiture of not more than one-half (1/2) of one (1)
12 month's pay per month for two (2) months;

13 5. A fine of not more than one (1) month's pay;

14 6. A reduction to the lowest or any intermediate pay grade, ~~if~~
15 ~~the grade from which demoted is within the promotion authority of~~
16 ~~the commanding officer imposing the reduction or any officer~~
17 ~~subordinate to the one who imposes the reduction,~~ but an enlisted
18 member in a pay grade above E-4 shall not be reduced more than two
19 pay grades;

20 7. Extra duties, including fatigue or other duties, for not
21 more than forty-five (45) days which need not be consecutive; and

22 8. Restriction to certain specified limits, with or without
23 suspension from duty, for not more than sixty (60) days which need
24 not be consecutive.

1 F. The Governor, the Adjutant General, or an officer exercising
2 general or special court-martial convening authority may impose:

3 1. Upon officers of the officer's command:

4 a. any punishment authorized in subsection E of this
5 section, except for the punishments provided in
6 paragraphs 6 and 7 of subsection E of this section,
7 and

8 b. arrest in quarters for not more than thirty (30) days
9 which need not be consecutive; and

10 2. Upon enlisted members of the officer's command, any
11 punishment authorized in subsection E of this section.

12 Admonitions or reprimands given as nonjudicial punishment to
13 commissioned officers and warrant officers shall be administered in
14 writing. In all other cases, unless otherwise prescribed by
15 regulations promulgated by the Adjutant General, such punishments
16 may be administered either orally or in writing.

17 G. Whenever any punishments are combined to run consecutively,
18 the total length of the combined punishment shall not exceed the
19 authorized duration of the longest punishment included in the
20 combination, and there shall be an apportionment of punishments so
21 that no single punishment in the combination exceeds its authorized
22 length under this section.

23 H. Once the commanding officer has determined that nonjudicial
24 punishment is appropriate, the commanding officer shall provide

1 reasonable notice to the member of his or her intent to impose
2 nonjudicial punishment. At the time the commanding officer provides
3 notification as required in this subsection, the member shall be
4 entitled to examine all statements and other evidence that the
5 commander has examined and intends to rely upon as the basis for
6 punishment. The member shall be provided a copy of the documentary
7 evidence unless it is privileged, classified, or otherwise
8 restricted by law, regulation, or instruction. At the time the
9 commanding officer provides notification as required in this
10 subsection, the commanding officer shall also inform the member as
11 to the quantum of punishment potentially to be imposed. While a
12 member undergoing nonjudicial punishment is not entitled to
13 representation by a duly appointed defense counsel, the member may
14 seek legal advice from any judge advocate available for this
15 purpose. Upon notification by the officer of his or her intent to
16 impose judicial punishment, the member shall provide a response
17 within forty-five (45) calendar days, or three (3) duty days if on
18 active duty.

19 I. The right to demand trial by court-martial in lieu of
20 nonjudicial punishment shall arise only when arrest in quarters or
21 restriction will be considered as punishments. If the commanding
22 officer determines that arrest in quarters or restriction will be
23 considered as punishments, prior to the offer of nonjudicial
24 punishment the member shall be notified in writing of the right to

1 demand trial by court-martial. Should the commanding officer
2 determine that the punishment options will not include arrest in
3 quarters or restriction, the member shall be notified that there is
4 no right to trial by court-martial in lieu of nonjudicial
5 punishment. Upon notification by the commanding officer of his or
6 her intent to impose nonjudicial punishment that includes arrest in
7 quarters or restriction, the member shall be afforded a reasonable
8 amount of time to confer with legal counsel and to prepare a
9 response.

10 J. The commanding officer who imposes the punishment, or his or
11 her successor in command, may at any time suspend, set aside,
12 mitigate or remit any part or amount of the punishment and restore
13 all rights, privileges and property affected. The commanding
14 officer may also mitigate:

- 15 1. Reduction in grade to forfeiture of pay;
- 16 2. Arrest in quarters to restriction; or
- 17 3. Extra duties to restriction.

18 The mitigated punishment shall not be for a greater period than
19 the punishment mitigated. When mitigating reduction in grade to
20 forfeiture of pay, the amount of the forfeiture shall not be greater
21 than the amount that could have been imposed initially under this
22 article by the officer who imposed the punishment mitigated.

23 K. A person punished under this section who considers the
24 punishment unjust or disproportionate to the offense may, through

1 his or her chain of command, appeal to a senior officer designated
2 by the Adjutant General to adjudicate appeals arising from
3 nonjudicial punishment. A senior officer so designated by the
4 Adjutant General shall be a member of the same component of the
5 state military forces as the accused. An appeal made pursuant to
6 this subsection shall be lodged within fifteen (15) calendar days
7 after the punishment is announced to the member. The commanding
8 officer exercising appellate authority may, at his or her
9 discretion, extend the deadline for an appeal. The appeal shall be
10 promptly forwarded and decided, and the member shall not be punished
11 until the appeal is decided. The senior officer designated by the
12 Adjutant General as exercising appellate authority may exercise the
13 same powers with respect to the punishment imposed as may be
14 exercised under subsection I of this section by the officer who
15 imposed the punishment. Before acting on an appeal from a
16 punishment, the senior officer exercising appellate authority shall
17 refer the case to a judge advocate for consideration and advice.
18 When a senior officer is designated by the Adjutant General to
19 adjudicate appeals arising from nonjudicial punishment, such
20 designation shall be accomplished in writing and shall be considered
21 a military publication, as defined in Section 801 of this title
22 (Article 1).

23 L. Except for nonjudicial punishment imposed by the Governor or
24 the Adjutant General, the final appellate authority for nonjudicial

1 punishment imposed within state military forces is the Adjutant
2 General. A person punished under this section whose appeal was
3 previously denied by a senior officer designated to adjudicate
4 appeals may, through his or her chain of command, lodge an
5 additional appeal with the Adjutant General within five (5) days
6 after the appeal is denied. In the event the officer imposing
7 nonjudicial punishment is a senior officer who is also designated to
8 adjudicate appeals arising from nonjudicial punishment, an appeal
9 thereof shall be addressed directly to the Adjutant General. In the
10 event the officer imposing nonjudicial punishment is the Adjutant
11 General, an appeal thereof shall be addressed directly to the
12 Governor. An appeal offered pursuant to this subsection shall be
13 made only in writing. Neither the Governor nor the Adjutant General
14 shall delegate his or her duties as an appellate authority under
15 this subsection.

16 M. Whenever nonjudicial punishment is imposed under this
17 section:

18 1. After adjudication and while the punishment is being carried
19 out or while the adjudged punishment is pending before the appellate
20 authority, the commander or officer in charge who imposed the
21 nonjudicial punishment, upon the request of the ~~member~~ officer, may:

22 a. excuse the ~~member~~ officer from attendance at scheduled
23 unit training assemblies, or

24

1 b. arrange for the ~~member~~ officer to drill on alternate
2 dates and in alternate locations; or

3 2. If necessary to maintain good order and discipline within
4 the unit, the commanding officer who imposed the nonjudicial
5 punishment may order the member to drill on alternate dates and in
6 alternate locations. The order shall be reduced to writing and
7 shall become part of the record of nonjudicial punishment.

8 N. The imposition and enforcement of disciplinary punishment
9 under this section for any act or omission shall not be a bar to
10 trial by court-martial or a civilian court of competent jurisdiction
11 for a crime or offense arising out of the same act or omission; but
12 the fact that a disciplinary punishment has been enforced may be
13 demonstrated by the member upon trial and, when so demonstrated, it
14 shall be considered in determining the measure of punishment to be
15 adjudged in the event of a finding or verdict of guilty.

16 Nonjudicial punishment shall not be imposed for an offense
17 previously tried by a civilian court unless so authorized by
18 regulations promulgated by the Adjutant General.

19 O. When nonjudicial punishment has been imposed for an offense,
20 punishment shall not again be imposed for the same offense under
21 this section. Once nonjudicial punishment has been imposed, it may
22 not be increased, upon appeal or otherwise. When a commanding
23 officer determines that nonjudicial punishment is appropriate for a
24 particular member, all known offenses determined to be appropriate

1 for disposition by nonjudicial punishment and ready to be considered
2 at that time, including all offenses arising from a single incident
3 or course of conduct, shall be considered together and shall not be
4 made the basis for multiple punishments. This subsection shall in
5 no way restrict the right of a commanding officer to prefer court-
6 martial charges for an offense previously punished under the
7 provisions of this section.

8 P. In accordance with subsection B of Section 843 of this title
9 (Article 43, subsection B), a person accused of an offense is not
10 liable to be punished under this section if the offense was
11 committed more than two (2) years before the imposition of
12 punishment. Periods in which the member is absent without authority
13 shall be excluded in computing the period of limitation prescribed
14 in this section.

15 Q. Whenever a punishment of forfeiture of pay is imposed under
16 this section, the forfeiture shall not apply to pay accruing before
17 the date that punishment is imposed, but only pay accruing on or
18 after the date that punishment is imposed.

19 R. The Adjutant General may promulgate regulations prescribing
20 the type and form of records to be kept of proceedings conducted
21 pursuant to this section. The Adjutant General may promulgate any
22 other regulations necessary to carry out the provisions of this
23 section.

24

1 S. For purposes of this section, no member of the Oklahoma
2 National Guard of the rank of E-8 or E-9 shall be reduced in rank
3 pursuant to this section except when the reduction results from
4 nonjudicial punishment imposed by an officer of the Oklahoma
5 National Guard of the rank of Brigadier General or by the Adjutant
6 General. When imposing nonjudicial punishment on enlisted persons
7 of the rank of E-7 or below, a ~~commander or~~ commanding officer ~~in~~
8 ~~charge who possesses the rank of colonel~~ may consider reduction in
9 rank as a possible punishment.

10 SECTION 7. AMENDATORY Section 1, Chapter 390, O.S.L.
11 2025 (70 O.S. Supp. 2025, Section 14-140), is amended to read as
12 follows:

13 Section 14-140. A. ~~This act~~ Sections 14-140 through 14-141 of
14 this title shall be known and may be cited as the "~~Oklahoma National~~
15 ~~Guard CareerTech Assistance Act~~" "Christopher A. Rau Act".

16 B. As used in this act:

17 1. "Technology center school" means a technology center school
18 under the governance of the State Board of Career and Technology
19 Education;

20 2. "Eligible Guard member" means a current member of the
21 Oklahoma National Guard in good standing who has a high school
22 diploma or who has completed General Educational Development (GED)
23 requirements and who has enrolled in a technology center school; and
24

1 3. "Program" means the Oklahoma National Guard CareerTech
2 Assistance Program established pursuant to the provisions of this
3 section.

4 C. 1. There is hereby created the Oklahoma National Guard
5 CareerTech Assistance Program to provide assistance to eligible
6 Guard members who enroll in a technology center school. Subject to
7 the availability of funds, the amount of assistance shall be
8 equivalent to the amount of tuition for a career and technology
9 program in which the eligible Guard member is enrolled leading to
10 certification or licensure, not to exceed a maximum of three (3)
11 years.

12 2. Assistance provided pursuant to this section shall be
13 granted without any limitation other than the amount of funds
14 available for the program and the number of eligible Guard members
15 who apply, subject to any cap established by the Military Department
16 of the State of Oklahoma.

17 3. Assistance allowed by this section shall not be allowed for
18 courses taken in excess of the requirements for completion of a
19 technology center school program leading to certification or
20 licensure.

21 D. Assistance provided pursuant to this section shall be
22 allocated to the technology center school from the Oklahoma National
23 Guard CareerTech Assistance Revolving Fund created pursuant to
24 Section ~~2~~ 14-141 of this ~~act~~ title.

1 ~~E. To be eligible to apply for the program, an eligible Guard~~
2 ~~member shall:~~

3 ~~1. Have at least one (1) year remaining on his or her~~
4 ~~enlistment contract at the beginning of any semester for which the~~
5 ~~member applies for assistance pursuant to this section;~~

6 ~~2. Agree in writing to complete his or her current service~~
7 ~~obligation in the Oklahoma National Guard; and~~

8 ~~3. Agree in writing to serve actively in good standing with the~~
9 ~~Oklahoma National Guard for not less than twenty-four (24) months~~
10 ~~after completion of the last semester for which the member receives~~
11 ~~assistance pursuant to this section.~~

12 F. To retain eligibility for the program, an eligible Guard
13 member shall:

14 1. Maintain good academic standing and satisfactory progress
15 according to standards of the technology center school in which the
16 member is enrolled;

17 2. Maintain the requirements for retention and completion as
18 established by the technology center school in which the member is
19 enrolled;

20 3. Maintain a minimum grade point ~~of~~ average of 2.0 on a 4.0
21 scale;

22 4. Maintain satisfactory participation in the Oklahoma National
23 Guard; and

1 5. Possess a Military Occupational Specialty (MOS) or Air Force
2 Specialty Code (AFSC) after his or her first semester.

3 ~~G.~~ F. An eligible Guard member seeking assistance pursuant to
4 the provisions of this section shall submit an application on a form
5 prescribed by the Military Department of the State of Oklahoma to
6 the Educational Service Office of the Military Department prior to
7 the semester for which assistance is sought. The eligible Guard
8 member's Commander or his or her designee shall confirm a member's
9 standing and eligibility to the technology center school in which
10 the student is enrolled. The Military Department may establish a
11 cap on the number of eligible Guard members allowed to participate
12 per semester per technology center school program.

13 ~~H.~~ G. The eligible Guard member's Commander may deny an
14 application submitted by an eligible Guard member for continued
15 program assistance if he or she fails to comply with the provisions
16 of paragraph 1, 2, 3, 4, or 5 of subsection ~~F~~ E of this section.

17 ~~I.~~ ~~An eligible Guard member seeking assistance pursuant to this~~
18 ~~section who is eligible for federal education benefits for~~
19 ~~vocational training shall exhaust all such federal benefits, when~~
20 ~~available, first.~~

21 ~~J.~~ H. An eligible Guard member who has received program
22 assistance pursuant to the provisions of this section and who fails
23 to comply with the provisions of paragraph 4 of subsection ~~F~~ E of
24

1 this section shall be required to repay an amount to be calculated
2 as follows:

3 1. Determine the total amount of assistance provided pursuant
4 to the provisions of this section;

5 2. Divide the amount determined in paragraph 1 of this
6 subsection by twenty-four (24); and

7 3. Multiply the amount determined in paragraph 2 of this
8 subsection by the number of months the member did not fulfill the
9 requirements of paragraph 4 of subsection ~~F~~ E of this section.

10 Repayments shall be deposited into the Oklahoma National Guard
11 CareerTech Assistance Revolving Fund created pursuant to Section ~~2~~
12 14-141 of this ~~act~~ title.

13 ~~K.~~ I. An eligible Guard member who has received program
14 assistance pursuant to the provisions of this section and who fails
15 to comply with the provisions of paragraph 4 of subsection ~~F~~ E of
16 this section due to hardship circumstances may request a waiver from
17 repayment. A waiver request shall be submitted in writing to the
18 Adjutant General.

19 ~~L.~~ J. By July 1 annually, the State Board of Career and
20 Technology Education shall notify the Adjutant General of the amount
21 of funding available in the Oklahoma National Guard CareerTech
22 Assistance Revolving Fund created pursuant to Section ~~2~~ 14-141 of
23 this ~~act~~ title.

24

1 ~~M.~~ K. The State Board of Career and Technology Education shall
2 promulgate rules to implement the provisions of this act, including
3 deadlines for submission of applications required by subsection G F
4 of this section. The Military Department of the State of Oklahoma
5 shall promulgate regulations pertaining to the application process
6 and the determination of eligibility for the program. The Board and
7 the Department shall coordinate the promulgation of rules and
8 regulations, respectively. ~~The Adjutant General may promulgate~~
9 ~~regulations to implement the provisions of this act.~~

10 L. An eligible Guard member seeking assistance pursuant to this
11 section who is eligible for federal education benefits for
12 vocational training or higher education shall first exhaust all such
13 federal benefits, subject to availability.

14 SECTION 8. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 14-140.1 of Title 70, unless
16 there is created a duplication in numbering, reads as follows:

17 A. Subject to the provisions of this section, the Adjutant
18 General may permit a qualifying member as described in Section 7 of
19 this act to elect to transfer benefits to one or more of their
20 dependents. The Adjutant General may promulgate any rules necessary
21 to carry out the purpose of this act.

22 B. The following requirements must be met in order to qualify
23 for the transfer of benefits:

24

1 1. Complete at least six (6) years of service by the date the
2 request is approved;

3 2. Agree to add four (4) or more years of service; or

4 3. Has twenty (20) or more years of service.

5 C. The spouse of a qualifying member may use the benefits
6 whether the member is on active duty or separated from service.

7 D. A dependent child of the qualifying member may start to use
8 the benefits once transferred if:

9 1. The child has received a high school diploma or equivalent
10 or the child is at least eighteen (18) years of age; and

11 2. The child is less than twenty-six (26) years of age.

12 SECTION 9. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 3231.1 of Title 70, unless there
14 is created a duplication in numbering, reads as follows:

15 A. Subject to the provisions of this section, the Adjutant
16 General may permit a qualifying member described in Section 3231 of
17 this title who is entitled to education assistance to elect to
18 transfer to one or more of the dependents specified in this section
19 a portion of such individual's entitlement to such assistance,
20 subject to the limitation under subsection D of this section.

21 B. The following requirements must be met in order to qualify:

22 1. Completed at least six (6) years of service by the date the
23 request is approved, subject to paragraph 4 of this subsection;

24

1 2. Agree to add four (4) or more years of service, subject to
2 paragraph 4 of this subsection;

3 3. The transferring recipient is enrolled in the Defense
4 Enrollment Eligibility Reporting System; and

5 4. The service requirements in paragraphs 1 and 2 of this
6 subsection do not apply if the qualifying member is a Purple Heart
7 recipient but must request to transfer benefits while still on
8 active duty.

9 C. The spouse of a qualifying member may use the benefits
10 whether the member is on active duty or separated from service under
11 the following provisions:

12 1. If the member separated from active duty before January 1,
13 2013, the spouse may use the benefits for up to fifteen (15) years
14 after the member's separation from active duty; and

15 2. If the member separated from active duty on or after January
16 1, 2013, the spouse may use the benefits at any time with no time
17 limitations.

18 D. A dependent child of the qualifying member may start to use
19 the benefits after the member has completed at least ten (10) years
20 of service and may be used while on active duty or after separation
21 from service under the following provisions:

22 1. The child has received a high school diploma or equivalent
23 or the child is at least eighteen (18) years of age; and

24 2. The child is less than twenty-six (26) years of age.

1 SECTION 10. AMENDATORY 44 O.S. 2021, Section 235, is
2 amended to read as follows:

3 Section 235. There is hereby created the Oklahoma National
4 Guard Museum, to be under the supervision of the Adjutant General.
5 The Adjutant General may appoint an Executive Director to oversee
6 the daily operations and maintenance of the museum and perform other
7 duties as requested by the Adjutant General. Appropriate state
8 agencies are directed to make available, for display of items of
9 historical significance and necessary space for administration, ~~the~~
10 ~~buildings presently occupied by the Oklahoma Military Department,~~
11 ~~located in the vicinity of 36th Street and North Eastern in Oklahoma~~
12 ~~City, Oklahoma. The building herein referred to shall be made~~
13 ~~available by the Adjutant General as soon as same is no longer~~
14 ~~needed by and is vacated by the Oklahoma Military Department at the~~
15 Oklahoma National Guard Museum building located at 3301 NE Grand
16 Blvd. in Oklahoma City. The Executive Director, subject to the
17 approval of the Adjutant General, ~~may lease to the 45th Infantry~~
18 ~~Division Association, for periods not exceeding one (1) year and~~
19 ~~with provisions for renewal from year to year, an area to be used as~~
20 ~~a gift shop, if the lease does not interfere with its use by the~~
21 ~~Oklahoma National Guard Museum establish a gift shop in a designated~~
22 area of the Oklahoma National Guard Museum. The proceeds of the
23 sales from the gift shop shall ~~remain with the 45th Infantry~~

24

1 ~~Division Association for operating purposes~~ be deposited in the
2 Oklahoma National Guard Museum Fund.

3 SECTION 11. AMENDATORY 44 O.S. 2021, Section 235.1, is
4 amended to read as follows:

5 Section 235.1. There is hereby created in the State Treasury a
6 ~~special revolving~~ fund for the Oklahoma Military Department to be
7 known as the "Oklahoma National Guard Museum Fund", which fund shall
8 consist of donations received for operation and maintenance of the
9 museum, proceeds from the rental of the museum event center, and
10 monies received from the sale of Armed Forces Veterans Motorcycle
11 License Plates and Global War on Terrorism License Plates pursuant
12 to Section 1135.5 of Title 47 of the Oklahoma Statutes, and proceeds
13 from sales in the Oklahoma National Guard Museum gift shop. The
14 fund shall be a continuing fund not subject to fiscal year
15 limitations and shall be under the administrative direction of the
16 Oklahoma Military Department. Expenditures from the fund created by
17 this section shall be used exclusively for expenses of operation and
18 maintenance of the Oklahoma National Guard Museum and shall be made
19 pursuant to the laws of this state and without legislative
20 appropriation. Warrants for expenditures from the fund shall be
21 drawn by the State Treasurer, based on claims signed by an
22 authorized employee of the department and approved for payment by
23 the Director of the Office of Management and Enterprise Services.

24

1 SECTION 12. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 21.2 of Title 44, unless there
3 is created a duplication in numbering, reads as follows:

4 Insofar as applicable the procedure for the enlistment,
5 organization, pay, maintenance, equipment, and disciplining of such
6 forces shall be in conformity with the law and the rules and
7 regulations governing and pertaining to the Oklahoma National Guard;
8 provided, that the officers and enlisted personnel in the Oklahoma
9 State Guard shall not receive any compensation or monetary
10 allowances from the state except when activated for state active
11 duty, as defined in Section 801 of this title, by order of the
12 Governor. Any full-time state employee who serves in a military
13 capacity shall receive compensation equivalent to the compensation,
14 benefits, entitlements, or other compensation received by a full-
15 time active-duty service member at the same rank and time in grade
16 for the same duration. Compensation under this section shall be
17 funded by Section 272 of this title or any other funds appropriated.

18 SECTION 13. RECODIFICATION Section 1, Chapter 390,
19 O.S.L. 2025, as amended by Section 7 of this act, shall be
20 recodified as Section 14-140A of Title 70 of the Oklahoma Statutes,
21 unless there is created a duplication in numbering.

22 SECTION 14. This act shall become effective November 1, 2026.
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Passed the House of Representatives the 18th day of February, 2026.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2026.

Presiding Officer of the Senate