

1 **SENATE FLOOR VERSION**

2 April 16, 2025

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2118

6 By: Kannady of the House

7 and

8 Woods of the Senate

9 [ militia - Oklahoma Military Department - Adjutant  
10 General - compensation - authority - donations -  
11 federal programs - court-martial - offenses - use of  
12 marijuana - domestic violence - Oklahoma National  
13 Guard - tuition assistance - application - repayment  
14 - promulgation of rules and regulations - fund -  
15 expenditures - repealer - codification - effective  
16 date ]

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

18 SECTION 1. AMENDATORY 44 O.S. 2021, Section 21, is  
19 amended to read as follows:

20 Section 21. The Military Department of the State of Oklahoma is  
21 hereby established and shall be under the command and control of the  
22 Governor as Commander in Chief, with the Adjutant General as the  
23 executive and administrative head thereof. The Military Department  
24 shall be constituted of the state military forces, as defined by  
Section 801 of this title, and is hereby organized into a joint  
headquarters which shall be identified as the joint forces  
headquarters. The joint forces headquarters shall be jointly

1 staffed by Army National Guard and Air National Guard personnel who,  
2 under the authority and direction of the Adjutant General, shall  
3 support and assist the Adjutant General in the exercise of command  
4 and control over state military forces when not activated for  
5 federal duty under Title 10 of the United States Code. There shall  
6 be assigned to the joint ~~force~~ forces headquarters, officers,  
7 enlisted personnel, and civilian employees as may be considered  
8 necessary by the Governor as Commander in Chief and ~~as may be~~  
9 ~~authorized by law and Army National Guard regulations and Air~~  
10 ~~National Guard regulations~~ the Adjutant General.

11 SECTION 2. AMENDATORY 44 O.S. 2021, Section 24, is  
12 amended to read as follows:

13 Section 24. A. The Adjutant General shall be appointed by the  
14 Governor, by and with the advice and consent of the Oklahoma State  
15 Senate, and shall serve at the pleasure of the Governor.

16 B. To be eligible to hold the office of Adjutant General of  
17 this state, at the time of appointment, the appointee:

18 1. Shall be a federally recognized and currently serving as a  
19 colonel or higher ranking officer of the Oklahoma National Guard ~~and~~  
20 ~~of the National Guard of the United States for no less than three~~  
21 ~~(3)~~ eight (8) years of service in the Oklahoma National Guard;

22 2. Shall possess at least the rank of Colonel; and  
23  
24

1        3. If not already a general officer, shall be eligible for a  
2 Certificate of Eligibility pursuant to federal law and applicable  
3 regulations issued by the Chief of the National Guard Bureau.

4        ~~C. If the Oklahoma National Guard is in active federal service~~  
5 ~~and no persons having the qualifications required in subsection B of~~  
6 ~~this section are available within the state, then the Governor may~~  
7 ~~appoint, subject to the advice and consent of the Senate, any~~  
8 ~~suitably qualified person who at any time in the preceding ten (10)~~  
9 ~~years would have been qualified, as above, and who has served at~~  
10 ~~least two (2) years in active federal service in the grade of~~  
11 ~~Colonel or higher.~~

12        SECTION 3.        AMENDATORY        44 O.S. 2021, Section 25, is  
13 amended to read as follows:

14        Section 25. A. The Adjutant General shall have the rank of  
15 Major General and devote full time to the duties of the office.  
16 Regardless of whether or not the Adjutant General has been  
17 recognized federally at the rank of Major General at the time of  
18 appointment by the Governor, the Adjutant General shall be  
19 compensated at the same rate of pay afforded to a Major General  
20 serving on federal Title 10 active duty with the same time in  
21 service.

22        B. The Governor may appoint Assistant Adjutants General for  
23 Army and Assistant Adjutants General for Air to assist the Adjutant  
24 General in the discharge and performance of his or her duties. When

1 appointing Assistant Adjutants General, the Governor shall take into  
2 consideration the number of such positions contemplated or  
3 recommended by the National Guard Bureau for manning the joint  
4 forces headquarters of a state. Such Assistant Adjutants General  
5 shall have the qualifications prescribed by law for the Adjutant  
6 General and shall have the rank of Brigadier General. The Assistant  
7 Adjutants General appointed by the Governor shall be considered  
8 staff officers and not commanders except that, in the discretion of  
9 the Adjutant General, specific command or supervisory authority may  
10 be delegated by the Adjutant General to an Assistant Adjutant  
11 General but such delegation shall be accomplished in writing and  
12 shall be considered a military publication, as defined in Section  
13 801 of this title (Article 1).

14 C. Other general officers assigned to billets within the state  
15 military forces, including certain billets within the joint forces  
16 headquarters, shall be considered staff officers and not commanders  
17 except that, in the discretion of the Adjutant General, specific  
18 command or supervisory authority may be delegated by the Adjutant  
19 General to such general officers, but such delegation shall be  
20 accomplished in writing and shall be considered a military  
21 publication, as defined in Section 801 of this title (Article 1).

22 D. The Adjutant General may employ a state employee in the  
23 position of Executive Assistant and Programs Manager for the  
24 Military Department of the state. Said position shall be

1 unclassified and exempt from the Oklahoma Personnel Act and the  
2 Merit Rules for Employment, except leave regulations.

3 SECTION 4. AMENDATORY 44 O.S. 2021, Section 26, is  
4 amended to read as follows:

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

19 B. The Adjutant General, when absent from the state, may  
20 temporarily delegate any authority vested under this title and any  
21 such duties as an agency appointing authority to an Assistant  
22 Adjutant General, other state officer or employee within the  
23 Military Department of the State of Oklahoma. Such temporary  
24 delegations of authority pursuant to this subsection shall be

1 accomplished in writing. The Adjutant General may also promulgate  
2 regulations providing for the delegation of any such authority.

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

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

18 E. In accordance with all relevant requirements of the United  
19 States Army, the United States Air Force or the National Guard  
20 Bureau, the Adjutant General shall develop, publish and maintain an  
21 enlisted and officer rating scheme for all enlisted and officer  
22 billets assigned to joint forces headquarters. The rating scheme  
23 required herein shall not be considered a military publication  
24 within the meaning of Section 801 of this title (Article 1).

1 F. Pursuant to the rules established by the Adjutant General,  
2 the Military Department of the State of Oklahoma is authorized to  
3 expend appropriated and nonappropriated funds to enhance recruiting  
4 and retention efforts for the Oklahoma National Guard.

5 G. The Adjutant General may establish rules allowing the  
6 Military Department of the State of Oklahoma to accept donations and  
7 bequests to create a program for the benefit of members of the  
8 Oklahoma National Guard.

9 H. The Adjutant General shall serve as the chief of all fire  
10 protection units operating under the Oklahoma Military Department  
11 and shall supervise and administer the fire protection units in  
12 accordance with the rules and procedures prescribed by the Military  
13 Department.

14 I. The Adjutant General shall serve as the chief of all police  
15 units and officers appointed under the Oklahoma Military Department.  
16 The Adjutant General may appoint police officers in accordance with  
17 Section 230 of this title.

18 SECTION 5. AMENDATORY Section 1, Chapter 74, O.S.L. 2022  
19 (44 O.S. Supp. 2024, Section 233.10a), is amended to read as  
20 follows:

21 Section 233.10a. The Military Department of the State of  
22 Oklahoma may purchase information technology including, but not  
23 limited to, computer hardware or software, or any services related  
24 to software development, software modifications, or any other

1 services related to the operation and maintenance of computer  
2 hardware or software or both, independently and without prior  
3 approval from the Office of Management and Enterprise Services  
4 Information Services Division. All federal programs managed by the  
5 Military Department of the State of Oklahoma shall be exempt from  
6 any and all Information Services Division requirements.

7 SECTION 6. AMENDATORY 44 O.S. 2021, Section 243, is  
8 amended to read as follows:

9 Section 243. A. The Governor is hereby authorized to prescribe  
10 rules and regulations governing the enlistment, organization,  
11 administration, equipment, discipline and discharge of the personnel  
12 of such military forces; to requisition from the Secretary of  
13 Defense such arms and equipment as may be in the possession of and  
14 can be spared by the Department of Defense and to extend thereto the  
15 facilities of state armories, Armed Forces Reserve Centers,  
16 readiness centers, logistics, aviation, and training facilities,  
17 warehouses and their equipment and such other state premises and  
18 property as may be available for the purpose of drill and  
19 instruction. ~~Insofar as applicable the procedure for the~~  
20 ~~enlistment, organization, pay, maintenance, equipment and~~  
21 ~~disciplining of such forces shall be in conformity with the law and~~  
22 ~~the rules and regulations governing and pertaining to the National~~  
23 ~~Guard; provided, that the officers and enlisted personnel in the~~  
24 ~~Oklahoma State Guard shall not receive any compensation or monetary~~



1 ~~allowances from the state except when activated for state active~~  
2 ~~duty, as defined in Section 801 of this title, by order of the~~  
3 ~~Governor.~~

4 B. Members of the Oklahoma ~~State~~ National Guard shall be  
5 considered part of state military forces as defined in Section 801  
6 of this title and shall be subject to the Oklahoma Uniform Code of  
7 Military Justice.

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

18 SECTION 7. AMENDATORY 44 O.S. 2021, Section 815, is  
19 amended to read as follows:

20 Section 815. ARTICLE 15. Commanding officer's nonjudicial  
21 punishment.

22 A. Except as provided in subsection B of this section, any  
23 commanding officer ~~and, for purposes of this section, any officer in~~  
24 ~~charge,~~ may impose disciplinary punishments for minor offenses

1 arising under the punitive articles of the Oklahoma Uniform Code of  
2 Military Justice without the intervention of a court-martial.

3 B. Any ~~superior commander~~ commanding officer may limit or  
4 withhold the exercise of nonjudicial punishment authority by  
5 subordinate commanders, including limiting authority over certain  
6 categories of military personnel or offenses. Likewise, individual  
7 cases may be reserved by a superior commander. A superior authority  
8 may limit or withhold any power that a subordinate might otherwise  
9 exercise under this section.

10 C. Except as provided in subsection L of this section, the  
11 Governor or Adjutant General may delegate the powers established  
12 under this section to a ~~senior~~ commanding officer who is a member of  
13 the state military forces and is also a member of the same force  
14 component as the accused.

15 D. ~~Any~~ Except as provided in subsection S of this section, any  
16 commanding officer may impose upon enlisted members of the officer's  
17 command:

- 18 1. An admonition;
- 19 2. A reprimand;
- 20 3. The withholding of privileges for not more than six (6)  
21 months which need not be consecutive;
- 22 4. The forfeiture of pay of not more than seven (7) days' pay;
- 23 5. A fine of not more than seven (7) days' pay;
- 24

1        6. A reduction to the next inferior pay grade, if the grade  
2 from which demoted is within the promotion authority of the officer  
3 imposing the reduction or any officer subordinate to the one who  
4 imposes the reduction;

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

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

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

13       1. An admonition;

14       2. A reprimand;

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

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

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

20       6. A reduction to the lowest or any intermediate pay grade, if  
21 the grade from which demoted is within the promotion authority of  
22 the commanding officer imposing the reduction or any officer  
23 subordinate to the one who imposes the reduction, but an enlisted  
24

1 member in a pay grade above E-4 shall not be reduced more than two  
2 pay grades;

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

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

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

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

11 a. any punishment authorized in subsection E of this  
12 section, except for the punishments provided in  
13 paragraphs 6 and 7 of subsection E of this section,  
14 and

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

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

19 Admonitions or reprimands given as nonjudicial punishment to  
20 commissioned officers and warrant officers shall be administered in  
21 writing. In all other cases, unless otherwise prescribed by  
22 regulations promulgated by the Adjutant General, such punishments  
23 may be administered either orally or in writing.

1 G. Whenever any punishments are combined to run consecutively,  
2 the total length of the combined punishment shall not exceed the  
3 authorized duration of the longest punishment included in the  
4 combination, and there shall be an apportionment of punishments so  
5 that no single punishment in the combination exceeds its authorized  
6 length under this section.

7 H. Once the ~~commander~~ commanding officer has determined that  
8 nonjudicial punishment is appropriate, the ~~commander~~ commanding  
9 officer shall provide reasonable notice to the member of his or her  
10 intent to impose nonjudicial punishment. At the time the ~~commander~~  
11 commanding officer provides notification as required in this  
12 subsection, the member shall be entitled to examine all statements  
13 and other evidence that the commander has examined and intends to  
14 rely upon as the basis for punishment. The member shall be provided  
15 a copy of the documentary evidence unless it is privileged,  
16 classified, or otherwise restricted by law, regulation, or  
17 instruction. At the time the ~~commander~~ commanding officer provides  
18 notification as required in this subsection, the ~~commander~~  
19 commanding officer shall also inform the member as to the quantum of  
20 punishment potentially to be imposed. While a member undergoing  
21 nonjudicial punishment is not entitled to representation by a duly  
22 appointed defense counsel, the member may seek legal advice from any  
23 judge advocate available for this purpose. Upon notification by the  
24 officer of his or her intent to impose judicial punishment, the

1 member shall provide a response within forty-five (45) calendar  
2 days.

3 I. The right to demand trial by court-martial in lieu of  
4 nonjudicial punishment shall arise only when arrest in quarters or  
5 restriction will be considered as punishments. If the commanding  
6 officer determines that arrest in quarters or restriction will be  
7 considered as punishments, prior to the offer of nonjudicial  
8 punishment the ~~accused~~ member shall be notified in writing of the  
9 right to demand trial by court-martial. Should the commanding  
10 officer determine that the punishment options will not include  
11 arrest in quarters or restriction, the ~~accused~~ member shall be  
12 notified that there is no right to trial by court-martial in lieu of  
13 nonjudicial punishment. Upon notification by the ~~commander or~~  
14 ~~officer in charge~~ commanding officer of his or her intent to impose  
15 nonjudicial punishment that includes arrest in quarters or  
16 restriction, the ~~accused~~ member shall be afforded a reasonable  
17 amount of time to confer with legal counsel and to prepare a  
18 response.

19 J. The commanding officer who imposes the punishment, or his or  
20 her successor in command, may at any time suspend, set aside,  
21 mitigate or remit any part or amount of the punishment and restore  
22 all rights, privileges and property affected. The commanding  
23 officer may also mitigate:

24 1. Reduction in grade to forfeiture of pay;

1        2. Arrest in quarters to restriction; or

2        3. Extra duties to restriction.

3        The mitigated punishment shall not be for a greater period than  
4 the punishment mitigated. When mitigating reduction in grade to  
5 forfeiture of pay, the amount of the forfeiture shall not be greater  
6 than the amount that could have been imposed initially under this  
7 article by the officer who imposed the punishment mitigated.

8        K. A person punished under this section who considers the  
9 punishment unjust or disproportionate to the offense may, through  
10 his or her chain of command, appeal to a senior officer designated  
11 by the Adjutant General to adjudicate appeals arising from  
12 nonjudicial punishment. A senior officer so designated by the  
13 Adjutant General shall be a member of the same component of the  
14 state military forces as the accused. An appeal made pursuant to  
15 this subsection shall be lodged within fifteen (15) days after the  
16 punishment is announced to the ~~accused~~ member. The commanding  
17 officer exercising appellate authority may, at his or her  
18 discretion, extend the deadline for an appeal. The appeal shall be  
19 promptly forwarded and decided, and the member shall not be punished  
20 until the appeal is decided. The senior officer designated by the  
21 Adjutant General as exercising appellate authority may exercise the  
22 same powers with respect to the punishment imposed as may be  
23 exercised under subsection I of this section by the officer who  
24 imposed the punishment. Before acting on an appeal from a

1 punishment, the senior officer exercising appellate authority shall  
2 refer the case to a judge advocate for consideration and advice.  
3 When a senior officer is designated by the Adjutant General to  
4 adjudicate appeals arising from nonjudicial punishment, such  
5 designation shall be accomplished in writing and shall be considered  
6 a military publication, as defined in Section 801 of this title  
7 (Article 1).

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



1 M. Whenever nonjudicial punishment is imposed under this  
2 section:

3 1. After adjudication and while the punishment is being carried  
4 out or while the adjudged punishment is pending before the appellate  
5 authority, the commander or officer in charge who imposed the  
6 nonjudicial punishment, upon the request of the ~~accused~~ member, may:

7 a. excuse the ~~accused~~ member from attendance at scheduled  
8 unit training assemblies, or

9 b. arrange for the ~~accused~~ member to drill on alternate  
10 dates and in alternate locations; or

11 2. If necessary to maintain good order and discipline within  
12 the unit, the ~~commander or officer in charge~~ commanding officer who  
13 imposed the nonjudicial punishment may order the ~~accused~~ member to  
14 drill on alternate dates and in alternate locations. The order  
15 shall be reduced to writing and shall become part of the record of  
16 nonjudicial punishment.

17 N. The imposition and enforcement of disciplinary punishment  
18 under this section for any act or omission shall not be a bar to  
19 trial by court-martial or a civilian court of competent jurisdiction  
20 for a crime or offense arising out of the same act or omission; but  
21 the fact that a disciplinary punishment has been enforced may be  
22 demonstrated by the ~~accused~~ member upon trial and, when so  
23 demonstrated, it shall be considered in determining the measure of  
24 punishment to be adjudged in the event of a finding or verdict of

1 guilty. Nonjudicial punishment shall not be imposed for an offense  
2 previously tried by a civilian court unless so authorized by  
3 regulations promulgated by the Adjutant General.

4 O. When nonjudicial punishment has been imposed for an offense,  
5 punishment shall not again be imposed for the same offense under  
6 this section. Once nonjudicial punishment has been imposed, it may  
7 not be increased, upon appeal or otherwise. When a ~~commander or~~  
8 ~~officer in charge~~ commanding officer determines that nonjudicial  
9 punishment is appropriate for a particular member, all known  
10 offenses determined to be appropriate for disposition by nonjudicial  
11 punishment and ready to be considered at that time, including all  
12 offenses arising from a single incident or course of conduct, shall  
13 be considered together and shall not be made the basis for multiple  
14 punishments. This subsection shall in no way restrict the right of  
15 a ~~commander~~ commanding officer to prefer court-martial charges for  
16 an offense previously punished under the provisions of this section.

17 P. In accordance with subsection B of Section 843 of this title  
18 (Article 43, subsection B), a person accused of an offense is not  
19 liable to be punished under this section if the offense was  
20 committed more than two (2) years before the imposition of  
21 punishment. Periods in which the ~~accused~~ member is absent without  
22 authority shall be excluded in computing the period of limitation  
23 prescribed in this section.

1 Q. Whenever a punishment of forfeiture of pay is imposed under  
2 this section, the forfeiture shall not apply to pay accruing before  
3 the date that punishment is imposed, but only pay accruing on or  
4 after the date that punishment is imposed.

5 R. The Adjutant General may promulgate regulations prescribing  
6 the type and form of records to be kept of proceedings conducted  
7 pursuant to this section. The Adjutant General may promulgate any  
8 other regulations necessary to carry out the provisions of this  
9 section.

10 S. For purposes of this section, no member of the Oklahoma  
11 National Guard of the rank of E-8 or E-9 shall be reduced in rank  
12 pursuant to this section except when the reduction results from  
13 nonjudicial punishment imposed by an officer of the Oklahoma  
14 National Guard of the rank of Brigadier General or by the Adjutant  
15 General. When imposing nonjudicial punishment on enlisted persons  
16 of the rank of E-7 or below, a commander or officer in charge who  
17 possesses the rank of colonel may consider reduction in rank as a  
18 possible punishment.

19 SECTION 8. AMENDATORY 44 O.S. 2021, Section 821, is  
20 amended to read as follows:

21 Section 821. ~~RESERVED~~ ARTICLE 21. Convening of court-martial  
22 by federal officials.

23 In no case shall the President of the United States, the  
24 Secretary of Defense, the secretary of a military department, a

1 military officer serving on active duty within the meaning of Title  
2 10 of the United States Code, or any other federal official convene  
3 a court-martial proceeding pursuant to the Oklahoma Military Code  
4 unless prior consent has been granted by the Governor. Such  
5 consent, if granted by the Governor, shall be accomplished in  
6 writing and shall be published by the Governor.

7 SECTION 9. AMENDATORY 44 O.S. 2021, Section 875, is  
8 amended to read as follows:

9 Section 875. ARTICLE 75. Restoration.

10 A. Under such regulations as the Adjutant General may  
11 promulgate, all rights, privileges, and property affected by an  
12 executed part of a court-martial sentence which has been set aside  
13 or disapproved, except an executed dismissal or discharge, shall be  
14 restored unless a new trial or rehearing is ordered and such  
15 executed part is included in a sentence imposed upon the new trial  
16 or rehearing.

17 B. If a previously executed sentence of dishonorable or bad-  
18 conduct discharge is not imposed on a new trial, the Adjutant  
19 General shall substitute therefor a form of discharge authorized for  
20 administrative issuance unless the accused is to serve out the  
21 remainder of his or her enlistment.

22 C. If a previously executed sentence of dismissal is not  
23 imposed on a new trial, the Adjutant General shall substitute  
24 therefor a form of discharge authorized for administrative issue,

1 and the commissioned officer dismissed by that sentence may be  
2 reappointed ~~pursuant to Sections 875 and 12203 of Title 10 of the~~  
3 ~~United States Code and any applicable regulations prescribed~~  
4 ~~thereunder by the President of the United States or the Secretary~~  
5 ~~concerned~~ solely by the Governor to such commissioned grade and with  
6 such rank as in the opinion of the Governor that former officer  
7 would have attained had he or she not been dismissed. The  
8 reappointment of such a former officer shall be without regard to  
9 the existence of a vacancy and shall affect the promotion status of  
10 other officers only insofar as the Governor may direct. All time  
11 between the dismissal and the reappointment shall be considered as  
12 actual service for all purposes, including the right to pay and  
13 allowances.

14 D. The Governor or Adjutant General shall prescribe  
15 regulations, with such limitations as the Governor or Adjutant  
16 General considers appropriate, governing eligibility for pay and  
17 allowances for the period after the date on which an executed part  
18 of a court-martial sentence is set aside.

19 SECTION 10. AMENDATORY 44 O.S. 2021, Section 905, is  
20 amended to read as follows:

21 Section 905. ~~RESERVED~~ ARTICLE 105. Forgery.

22 Any person subject to the Oklahoma Uniform Code of Military  
23 Justice who, with intent to defraud:  
24

1        1. Falsely makes or alters any signature to, or any part of,  
2        any writing which would, if genuine, apparently impose a legal  
3        liability on another or change his or her legal right or liability  
4        to his or her prejudice; or

5        2. Utters, offers, issues, or transfers such a writing, known  
6        by him or her to be so made or altered, is guilty of forgery and  
7        shall be punished as a court-martial may direct.

8        SECTION 11.        AMENDATORY        44 O.S. 2021, Section 912, is  
9        amended to read as follows:

10       Section 912. ARTICLE 112. Drunkenness and other incapacitation  
11       offenses.

12       A. Drunk on duty. Any person subject to the Oklahoma Uniform  
13       Code of Military Justice, ~~other than a sentinel or lookout,~~ who is  
14       drunk on duty shall be punished as a court-martial may direct.

15       B. Incapacitation for duty from drunkenness or drug use. Any  
16       person subject to the Code who, as a result of indulgence in any  
17       alcoholic beverage or any drug, is incapacitated for the proper  
18       performance of duty shall be punished as a court-martial may direct.

19       C. Drunk prisoner. Any person subject to the Code who is a  
20       prisoner and, while in such status, is drunk shall be punished as a  
21       court-martial may direct.

22       SECTION 12.        AMENDATORY        44 O.S. 2021, Section 912a, is  
23       amended to read as follows:

1       Section 912a. ARTICLE 112A. Wrongful use, possession, etc., of  
2 controlled substances.

3       A. Any person subject to the Oklahoma Uniform Code of Military  
4 Justice who wrongfully uses, possesses, manufactures, distributes,  
5 imports into the customs territory of the United States, exports  
6 from the United States, or introduces into an installation, vessel,  
7 vehicle, or aircraft used by or under the control of the Armed  
8 Forces of the United States or of the state military forces a  
9 substance described in subsection B of this section shall be  
10 punished as a court-martial may direct.

11       B. The substances referred to in subsection A of this section  
12 are the following:

13       1. Opium, heroin, cocaine, amphetamine, lysergic acid  
14 diethylamide, methamphetamine, phencyclidine, barbituric acid, and  
15 marijuana and any compound or derivative of any such substance;

16       2. Any substance not specified in paragraph 1 of this  
17 subsection that is listed on a schedule of controlled substances  
18 prescribed by the President for the purposes of the Uniform Code of  
19 Military Justice, Title 10 of the United States Code, Section 801,  
20 et seq.; and

21       3. Any other substance not specified in paragraph 1 of this  
22 subsection or contained on a list prescribed by the President under  
23 paragraph 2 of this subsection that is listed in schedules I through  
24

1 V of article 202 of the Controlled Substances Act, Title 21 of the  
2 United States Code, Section 812.

3 C. It shall be unlawful for any member of the state military  
4 forces to knowingly use or ingest marijuana or any substances or  
5 products derived from marijuana including, but not limited to, hemp,  
6 tetrahydrocannabinol, and cannabidiol.

7 SECTION 13. AMENDATORY 44 O.S. 2021, Section 928b, is  
8 amended to read as follows:

9 Section 928b. ~~RESERVED~~ Any person subject to the Oklahoma  
10 Uniform Code of Military Justice who:

11 1. Commits a violent offense against a spouse, an intimate  
12 partner, or an immediate family member of that person;

13 2. With intent to threaten or intimidate a spouse, an intimate  
14 partner, or an immediate family member of that person, commits an  
15 offense under this chapter against any person or property, including  
16 an animal;

17 3. With intent to threaten or intimidate a spouse, an intimate  
18 partner, or an immediate family member of that person, violates a  
19 protection order;

20 4. With intent to commit a violent offense against a spouse, an  
21 intimate partner, or an immediate family member of that person,  
22 violates a protection order; or

23

24



1        5. Assaults a spouse, an intimate partner, or an immediate  
2 family member of that person by strangling or suffocating, shall be  
3 punished as a court-martial may direct.

4        SECTION 14.        AMENDATORY        44 O.S. 2021, Section 934, is  
5 amended to read as follows:

6        Section 934.    ARTICLE 134. General article.

7        Though not specifically mentioned in the Oklahoma Uniform Code  
8 of Military Justice, all disorders and neglects to the prejudice of  
9 good order and discipline in the state military forces, all conduct  
10 of a nature to bring discredit upon the state military forces, and  
11 crimes and offenses not capital, of which persons subject to the  
12 Code may be guilty, shall be taken cognizance of by a general,  
13 special, or summary court-martial, according to the nature and  
14 degree of the offense, and shall be punished at the discretion of  
15 that court. However, where a crime constitutes an offense that  
16 violates both the Code and the criminal laws of the State of  
17 Oklahoma, jurisdiction over the offense shall be determined in  
18 accordance with Section 802 of this title (Article 2). This section  
19 shall encompass all specifically enumerated offenses included in  
20 Section 934 of Title 10 of the United States Code, including all  
21 amendments thereto adopted from time to time, except when such  
22 provisions are contrary to or inconsistent with the United States  
23 Code.

1       SECTION 15.       AMENDATORY       44 O.S. 2021, Section 937, is  
2 amended to read as follows:

3       Section 937.   ARTICLE 137.   Articles to be explained.

4       A.   1.   The sections of the Oklahoma Uniform Code of Military  
5 Justice specified in paragraph 3 of this subsection shall be  
6 carefully explained, either orally or in writing, to each officer  
7 and enlisted member at the time of, or within one hundred twenty  
8 (120) days after, the officer's or enlisted member's initial  
9 entrance into a duty status with the state military forces.

10      2.   Such articles shall be explained again:

11          a.   after the enlisted member has completed basic or  
12               recruit training, and

13          b.   ~~at the time when the enlisted member reenlists~~ within  
14               ninety (90) days of each re-enlistment.

15      3.   This subsection applies with respect to Sections 802, 803,  
16 807-815, 825, 827, 831, 837, 838, 855, 877-934, and 937-939 of this  
17 title (Articles 2, 3, 7-15, 25, 27, 31, 37, 38, 55, 77-134, and 137-  
18 139).

19      B.   The text of the Code and of the regulations prescribed  
20 pursuant to the Code shall be made available to an officer or  
21 enlisted member of the state military forces, upon request, for the  
22 officer's or enlisted member's personal examination. Electronic or  
23 online availability of the Code and of the regulations prescribed  
24 pursuant to the Code shall constitute availability for purposes of

1 personal examination by officers or enlisted members of the state  
2 military forces.

3 SECTION 16. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 940C of Title 44, unless there  
5 is created a duplication in numbering, reads as follows:

6 ARTICLE 140C. Manual for Courts-Martial.

7 The Manual for Courts-Martial, United States, including all  
8 amendments thereto adopted from time to time, except when such rules  
9 are contrary to or inconsistent with the Oklahoma Uniform Code of  
10 Military Justice, shall be adopted as the Oklahoma State Manual for  
11 Courts-Martial.

12 SECTION 17. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 239 of Title 44, unless there is  
14 created a duplication in numbering, reads as follows:

15 The co-located readiness and joint operating center facilities  
16 constructed by the Military Department or on behalf of the Military  
17 Department shall be named the "Benjamin T. Walkingstick National  
18 Guard Complex".

19 SECTION 18. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 14-140 of Title 70, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. This act shall be known and may be cited as the "Oklahoma  
23 National Guard CareerTech Assistance Act".

24 B. As used in this act:

1        1. "Technology center school" means a technology center school  
2 under the governance of the State Board of Career and Technology  
3 Education;

4        2. "Eligible Guard member" means a current member of the  
5 Oklahoma National Guard in good standing who has a high school  
6 diploma or who has completed General Educational Development (GED)  
7 requirements and who has enrolled in a technology center school; and

8        3. "Program" means the Oklahoma National Guard CareerTech  
9 Assistance Program established pursuant to the provisions of this  
10 section.

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

19        2. Assistance provided pursuant to this section shall be  
20 granted without any limitation other than the amount of funds  
21 available for the program and the number of eligible Guard members  
22 who apply, subject to any cap established by the Military Department  
23 of the State of Oklahoma.

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

5        D. Assistance provided pursuant to this section shall be  
6 allocated to the technology center school from the Oklahoma National  
7 Guard CareerTech Assistance Revolving Fund created pursuant to  
8 Section 2 of this act.

9        E. To be eligible to apply for the program, an eligible Guard  
10 member shall:

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

14        2. Agree in writing to complete his or her current service  
15 obligation in the Oklahoma National Guard; and

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

20        F. To retain eligibility for the program, an eligible Guard  
21 member shall:

22        1. Maintain good academic standing and satisfactory progress  
23 according to standards of the technology center school in which the  
24 member is enrolled;

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

4        3. Maintain a minimum grade point of average of 2.0 on a 4.0  
5 scale;

6        4. Maintain satisfactory participation in the Oklahoma National  
7 Guard; and

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

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

20       H. The eligible Guard member's Commander may deny an  
21 application submitted by an eligible Guard member for continued  
22 program assistance if he or she fails to comply with the provisions  
23 of paragraph 1, 2, 3, 4, or 5 of subsection F of this section.  
24

1 I. An eligible Guard member who has received program assistance  
2 pursuant to the provisions of this section and who fails to comply  
3 with the provisions of paragraph 4 of subsection F of this section  
4 shall be required to repay an amount to be calculated as follows:

5 1. Determine the total amount of assistance provided pursuant  
6 to the provisions of this section;

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

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

12 Repayments shall be deposited into the Oklahoma National Guard  
13 CareerTech Assistance Revolving Fund created pursuant to Section 2  
14 of this act.

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

21 K. By July 1 annually, the State Board of Career and Technology  
22 Education shall notify the Adjutant General of the amount of funding  
23 available in the Oklahoma National Guard CareerTech Assistance  
24 Revolving Fund created pursuant to Section 2 of this act.

1 L. 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 of  
4 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 SECTION 19. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 14-140.1 of Title 44, unless  
12 there is created a duplication in numbering, reads as follows:

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

19 B. An individual referred to in subsection A is any member of  
20 the uniformed services who, at the time of the approval of the  
21 individual's request to transfer entitlement to educational  
22 assistance under this section, has completed at least:  
23  
24



1        1. Six (6) years of service in the Oklahoma National Guard and  
2 enters into an agreement to serve at least four (4) more years as a  
3 member of the uniformed services; or

4        2. The years of service as determined in regulations pursuant  
5 to subsection J of this section.

6        C. Eligible dependents.

7        1. An individual approved to transfer an entitlement to  
8 educational assistance under this section may transfer the  
9 individual's entitlement to an eligible dependent or a combination  
10 of eligible dependents.

11       2. For purposes of this subsection, the term "eligible  
12 dependent" has the meaning given the term "dependent" under  
13 subparagraphs A, D, and I of Section 1072(2) of Title 10 of the  
14 United States Code.

15       D. Limitation of months of transfer - the total number of  
16 months of entitlement transferred by an individual under this  
17 section may not exceed thirty-six (36) months. The Adjutant General  
18 may prescribe regulations that would limit the months of entitlement  
19 that may be transferred under this section to no less than eighteen  
20 (18) months.

21       E. Designation of transferee - an individual transferring an  
22 entitlement to education assistance under this section shall:

23       1. Designate the dependent or dependents to whom such  
24 entitlement is being transferred; and

1        2. Designate the number of months of such entitlement to be  
2 transferred to such dependent.

3        F. Time for transfer; revocation and modification:

4        1. Subject to the time limitation for use of entitlement under  
5 this act, and except as provided in subsection K or L, an individual  
6 approved to transfer entitlement to educational assistance under  
7 this section may transfer such entitlement only while serving as a  
8 member of the Oklahoma National Guard when the transfer is executed.

9        2. An individual transferring entitlement under this section  
10 may modify or revoke at any time the transfer of any unused portion  
11 of the entitlement so transferred. The modification or revocation  
12 of the transfer of entitlement under this subsection shall be made  
13 by the submittal of written notice of the action to the Adjutant  
14 General and Governor.

15        3. Entitlement transferred under this section may not be  
16 treated as marital property, or the asset of a marital estate,  
17 subject to division in a divorce or other civil proceeding.

18        G. A dependent to whom entitlement to educational assistance is  
19 transferred under this section may not commence the use of the  
20 transferred entitlement until:

21        1. In the case of entitlement transferred to a spouse, the  
22 completion by the individual making the transfer of at least:

23            a. six (6) years of service in the National Guard, or  
24

- 1           b.    the years of service as determined in regulations  
2                pursuant to subsection J of this Section; or
- 3       2.   In the case of entitlement transferred to a child, both:
- 4           a.    the completion by the individual making the transfer  
5                of at least:
- 6                (1)   six (6) years of service in the National Guard,  
7                or  
8                (2)   the years of service as determined in regulations  
9                pursuant to subsection J of this section, or
- 10          b.    either:
- 11               (1)   the completion by the child of the requirements  
12               of a secondary school diploma (or equivalency  
13               certificate), or  
14               (2)   the attainment by the child of eighteen (18)  
15               years of age.

16       H.   Additional Administrative Matters.

17       1.   The use of any entitlement to educational assistance  
18 transferred under this section shall be charged against the  
19 entitlement of the individual making the transfer at the rate of one  
20 (1) month for each month of transferred entitlement that is used.

21       2.   Except as provided under paragraph 2 of subsection E of this  
22 section and subject to paragraphs 5 and 6 of this section:

- 23           a.    in the case of entitlement transferred to a spouse  
24                under this section, the spouse is entitled to

1 educational assistance under this chapter in the same  
2 manner as the individual from whom the entitlement was  
3 transferred as if the individual were not on active  
4 duty,

- 5 b. in the case of entitlement transferred to a child  
6 under this section, the child is entitled to  
7 educational assistance under this act in the same  
8 manner as the individual from whom the entitlement was  
9 transferred as if the individual were not on active  
10 duty,

11 3. The monthly rate of education assistance payable to a  
12 dependent to whom entitlement referred to in paragraph 2 is  
13 transferred under this section shall be payable:

- 14 a. in the case of a spouse, at the same rate as such  
15 entitlement would otherwise be payable under this  
16 chapter to the individual making the transfer as if  
17 the individual were not on active duty, and  
18 b. in the case of a child, at the same rate as such  
19 entitlement would otherwise be payable under this  
20 chapter to the individual making the transfer as if  
21 the individual were not on active duty.

22 4. Death of transferor: The death of an individual  
23 transferring an entitlement under this section shall not affect the  
24

1 use of the entitlement by the dependent to whom the entitlement is  
2 transferred.

3           a.   Death prior to transfer to designated transferees: In  
4               the case of an eligible individual whom the Adjutant  
5               General has approved to transfer the individual's  
6               entitlement under this section who, at the time of  
7               death, is entitled to educational assistance under  
8               this chapter and has designated a transferee or  
9               transferees under subsection E but has not transferred  
10              all of such entitlement to such transferee or  
11              transferees, the Adjutant General shall transfer the  
12              entitlement of the individual under this section by  
13              evenly distributing the amount of such entitlement  
14              between all such transferees who would not be  
15              precluded from using some or all of the transferred  
16              benefits due to the expiration of time limitations  
17              found in paragraph 5 of this subsection  
18              notwithstanding the limitations under subsection F.

19           b.   If a transferee cannot use all of the transferred  
20               benefits under subparagraph a of this subsection  
21               because of expiration of a time limitation, the unused  
22               benefits will be distributed among the other  
23               designated transferees who would not be precluded from  
24               using some or all of the transferred benefits due to

1 expiration of time limitations found in paragraph 5 of  
2 this subsection, unless or until there are no  
3 transferees who would not be precluded from using the  
4 transferred benefits because of expiration of a time  
5 limitation.

6 5. Limitation on age of use by child transferees.

7 a. In general. A child to whom entitlement is  
8 transferred under this section may use the benefits  
9 transferred without regard to the fifteen-year  
10 delimiting date specified in this act, but may not,  
11 except as provided in subparagraph b or c, use any  
12 benefits so transferred after attaining the age of  
13 twenty-six (26) years.

14 b. Primary caregivers of seriously injured members of the  
15 armed forces and veterans.

16 (1) In general. Subject to division (2), in the case  
17 of a child who, before attaining the age of  
18 twenty-six (26) years, is prevented from pursuing  
19 a chosen program of education by reason of acting  
20 as the primary provider of personal care services  
21 for a veteran or member of the Oklahoma National  
22 Guard, the child may use the benefits beginning  
23 on the date specified in division (3) for a  
24 period whose length is specified in division (4).

1 (2) Inapplicability for revocation.

2 Division (1) shall not apply with respect to the period of an  
3 individual as a primary provider of personal care services if the  
4 period concludes with the revocation of the individual's designation  
5 as such a primary provider.

6 (3) Date for commencement of use. The date specified  
7 in this division for the beginning of the use of  
8 benefits by a child under division (1) is the  
9 later of

10 (a) the date on which the child ceases acting as  
11 the primary provider of personal care  
12 services for the veteran or member concerned  
13 as described in division (1),

14 (b) the date on which it is reasonably feasible,  
15 as determined under regulations prescribed  
16 by the Adjutant General, for the child to  
17 initiate or resume the use of benefits, or

18 (c) the date on which the child attains the age  
19 of twenty-six (26) years.

20 4. Length of use. The length of the period specified in this  
21 subparagraph for the use of benefits by a child under division (1)  
22 is the length equal to the length of the period that:

23 a. begins on the date on which the child begins acting as  
24 the primary provider of personal care services for the

1           veteran or member concerned as described in division  
2           (1), and

3       b.   ends on the later of:

4           (1)   the date on which the child ceases acting as the  
5                primary provider of personal care services for  
6                the veteran or member as described in division  
7                (1), or

8           (2)   the date on which it is reasonably feasible, as  
9                so determined, for the child to initiate or  
10               resume the use of benefits; or

11       c.   In any case in which the Adjutant General determines  
12           that an individual to whom entitlement is transferred  
13           under this section has been prevented from pursuing  
14           the individual's chosen program of education before  
15           the individual attains the age of twenty-six (26)  
16           years because the educational institution or training  
17           established closed (temporarily or permanently) under  
18           an established policy based on an executive order of  
19           the Governor or due to an emergency situation, the  
20           Adjutant General shall extend the period during which  
21           the individual may use such entitlement for a period  
22           equal to the number of months that the individual was  
23           so prevented from pursuing the program of education,  
24           as determined by the Adjutant General.



1       6. The purposes for which a dependent to whom entitlement is  
2 transferred under this section may use such entitlement shall  
3 include the pursuit and completion of the requirements of a  
4 secondary school diploma (or equivalency certificate).

5       7. The administrative provisions of this act shall apply to the  
6 use of entitlement transferred under this section, except that the  
7 dependent to whom the entitlement is transferred shall be treated as  
8 the eligible individual for purposes of such provisions.

9       I. Overpayment.

10      1. Subject to paragraph 2, in the event of an overpayment of  
11 educational assistance with respect to a dependent to whom  
12 entitlement is transferred under this section, the dependent and the  
13 individual making the transfer shall be jointly and severally liable  
14 to the State of Oklahoma for the amount of the overpayment.

15      2. Failure to complete service agreement.

16          a. Except as provided in subparagraph b, if an individual  
17             transferring entitlement under this section fails to  
18             complete the service agreed to by the individual under  
19             division (1) of subsection b in accordance with the  
20             terms of the agreement of the individual under that  
21             subsection, the amount of any transferred entitlement  
22             under this section that is used by a dependent of the  
23             individual as of the date of such failure shall be  
24             treated as an overpayment of educational assistance

1           for which the individual shall be solely liable to the  
2           State of Oklahoma for the amount of the overpayment  
3           for purpose of this act in the case of an individual  
4           who fails to complete service agreed to by the  
5           individual:

6           (1) by reason of death of the individual, or

7           (2) for a reason referred to in this act.

8       J. Regulations.

9       1. The Adjutant General shall prescribe regulations for  
10      purposes of this section.

11      2. Such regulations shall specify:

12           a. the manner of authorizing the transfer of entitlements  
13           under this section,

14           b. the eligibility criteria in accordance with subsection  
15           B, and

16           c. the manner and effect of an election to modify or  
17           revoke a transfer of entitlement under paragraph 2 of  
18           subsection F.

19      3. The Adjutant General may not prescribe any regulation that  
20      would provide for a limitation on eligibility to transfer unused  
21      education benefits to family members based on a maximum number of  
22      years in the Oklahoma National Guard.

23      K. In the case of a dependent to whom entitlement to  
24      educational assistance is transferred under this section who dies

1 before using all of such entitlement, the individual who transferred  
2 the entitlement to the dependent may transfer any remaining  
3 entitlement to a different eligible dependent, notwithstanding  
4 whether the individual is serving as a member of the Armed Forces  
5 when such transfer is executed.

6 L. In the case of an individual who transfers entitlement to  
7 educational assistance under this section who dies before the  
8 dependent to whom entitlement to educational assistance is so  
9 transferred has used all of such entitlement, such dependent may  
10 transfer such entitlement to another eligible dependent in  
11 accordance with the provisions of this section.

12 SECTION 20. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 14-141 of Title 70, unless there  
14 is created a duplication in numbering, reads as follows:

15 There is hereby created in the State Treasury a revolving fund  
16 for the State Board of Career and Technology Education to be  
17 designated the "Oklahoma National Guard CareerTech Assistance  
18 Revolving Fund". The fund shall be a continuing fund, not subject  
19 to fiscal year limitations, and shall consist of all monies received  
20 by the State Board of Career and Technology Education from state  
21 appropriations provided for the purpose of implementing the  
22 provisions of Section 19 of this act. All monies accruing to the  
23 credit of the fund are hereby appropriated and may be budgeted and  
24 expended by the State Board of Career and Technology Education for

1 the purpose of providing assistance to eligible Guard members  
2 pursuant to the provisions of Section 19 of this act. Expenditures  
3 from the fund shall be made upon warrants issued by the State  
4 Treasurer against claims filed as prescribed by law with the  
5 Director of the Office of Management and Enterprise Services for  
6 approval and payment.

7 SECTION 21. REPEALER 44 O.S. 2021, Section 940b, is  
8 hereby repealed.

9 SECTION 22. This act shall become effective November 1, 2025.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
11 April 16, 2025 - DO PASS  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24