

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2083

By: Blair

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5
6 AS INTRODUCED

7 An Act relating to officers; amending 51 O.S. 2021,
8 Section 6, which relates to dual office holding;
9 providing exemption from dual office holding
10 restriction for certain municipal law enforcement
11 officers, deputy sheriffs and campus law enforcement
12 officers; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 51 O.S. 2021, Section 6, is
17 amended to read as follows:

18 Section 6. A. Except as may be otherwise provided, no person
19 holding an office under the laws of the state and no deputy of any
20 officer so holding any office shall, during the person's term of
21 office, hold any other office or be the deputy of any officer
22 holding any office, under the laws of the state. The provisions of
23 this section shall not apply to:

- 24 1. Notaries public;

1 2. Members of the State Textbook Committee;

2 3. County free fair board members;

3 4. Municipal and county law enforcement officers serving in
4 positions as law enforcement officers of both such governmental
5 entities upon such terms and conditions as are mutually approved by
6 resolutions adopted by the board of county commissioners and
7 governing body of the municipality employing such officers;

8 5. Municipal law enforcement officers who serve in an elected
9 or appointed position for a municipality other than the municipality
10 for which the officer performs law enforcement services;

11 6. Municipal law enforcement officers who serve in an elected
12 or appointed position for a county other than a county within which
13 any part or all of the incorporated city or town for which the
14 officer performs law enforcement services is located;

15 7. Deputy sheriffs who serve in an elected or appointed
16 position for a county other than the county for which the deputy
17 sheriff performs law enforcement services;

18 8. Deputy sheriffs who serve in an elected or appointed
19 position for a city or town other than a city or town the
20 incorporated area of which is located partially or wholly within the
21 boundary of the county for which the deputy performs law enforcement
22 services for the county;

1 9. Campus police officers, employed by a college or university,
2 who serve in an elected or appointed position for any county, any
3 city or any town;

4 10. Any person holding a county or municipal office or
5 position, or membership on any public trust authority, who is a
6 member of a board or commission that relates to federal, state,
7 county or municipal government and is created by the United States
8 government, the State of Oklahoma or a political subdivision of the
9 state, except where the duties of the offices or positions conflict;

10 ~~6.~~ 11. Any elected municipal officers and school board members
11 who are appointed to a state board, commission, or similar entity if
12 there is no compensation for such services other than reimbursement
13 for necessary travel expenses pursuant to the provisions of the
14 State Travel Reimbursement Act;

15 ~~7.~~ 12. Any trustee of a public trust, who is appointed as a
16 trustee of a different public trust or any trustee of the Tulsa
17 County Public Facilities Authority who may also be employed by the
18 Department of Transportation;

19 ~~8.~~ 13. Law enforcement officers employed by municipal or county
20 law enforcement departments or agencies, other than those law
21 enforcement officers elected or appointed as sheriff, chief of
22 police or some similar position in which they are the head of a
23 county or municipal law enforcement agency, who are elected to local
24 boards of education; provided, the provisions of this paragraph

1 shall not prohibit any law enforcement officer employed by a
2 municipality having a population of ten thousand (10,000) or fewer
3 people from serving as a member of a local board of education;

4 ~~9.~~ 14. Any member of the Oklahoma Highway Patrol Division of
5 the Department of Public Safety who is elected to a local board of
6 education;

7 ~~10.~~ 15. Any employee of the Oklahoma State Bureau of
8 Investigation who is elected to a local board of education;

9 ~~11.~~ 16. Any District Supervisor, Assistant District Supervisor,
10 Team Supervisor, Parole Officer 1 or Parole Officer 2 of the
11 Department of Corrections who is elected or appointed to a city
12 council;

13 ~~12.~~ 17. Any trustee or director of a rural electric
14 cooperative, or port authority who is appointed or elected to a
15 state, county or municipal board, commission or similar entity;

16 ~~13.~~ 18. County employees who are elected as members of town or
17 city councils;

18 ~~14.~~ 19. Municipal, county, state or tribal law enforcement or
19 peace officers operating under cross-deputization agreements with an
20 Indian tribe or branch of the federal government;

21 ~~15.~~ 20. Municipal or county law enforcement or peace officers
22 serving in positions as campus police officers or campus public
23 safety officers pursuant to the provisions of the Oklahoma Campus
24 Security Act, upon such terms and conditions as are mutually

1 approved by resolution adopted by the governing body of the
2 municipality or county and the governing board of the institution of
3 higher education;

4 ~~16.~~ 21. State law enforcement or peace officers serving in
5 positions as campus police officers or campus public safety officers
6 pursuant to the provisions of the Oklahoma Campus Security Act, upon
7 such terms and conditions as are mutually approved by written
8 agreement between the Commissioner of Public Safety and the
9 governing board of the institution of higher education;

10 ~~17.~~ 22. Municipal, county and state law enforcement officers
11 serving in positions as part-time or seasonal rangers or peace
12 officers under the Oklahoma Tourism and Recreation Department or the
13 Grand River Dam Authority;

14 ~~18.~~ 23. Members of the University Hospitals Authority;

15 ~~19.~~ 24. Any person holding a state or county office or position
16 who is a reserve force deputy sheriff, or a reserve special agent
17 with the Oklahoma State Bureau of Narcotics and Dangerous Drugs
18 Control or a reserve municipal police officer;

19 ~~20.~~ 25. Any person holding a state office or position who
20 serves as a special assistant district attorney without
21 compensation;

22 ~~21.~~ 26. Any elected or appointed member of a local school board
23 who is a member of a municipal planning commission;

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1 ~~22.~~ 27. Any elected or appointed member of a local school board
2 who is a member or an officer of a volunteer fire department;

3 ~~23.~~ 28. Directors or officers of a rural water district and
4 chiefs of municipal fire departments or rural fire districts who are
5 appointed or elected to an unsalaried office in a state, county,
6 municipal, school, or technology center school board, commission, or
7 similar entity, except where the duties of the office would create a
8 conflict of interest;

9 ~~24.~~ 29. Any person who is a dispatcher or confinement officer
10 at a municipal or county jail who is a noncompensated reserve
11 municipal police officer or a reserve deputy sheriff;

12 ~~25.~~ 30. Any person who is an assistant district attorney
13 serving as a municipal judge or prosecutor;

14 ~~26.~~ 31. Any park ranger under the Oklahoma Tourism and
15 Recreation Department or any game warden or reserve game warden
16 employed by the Department of Wildlife Conservation who is elected
17 or appointed to a local board of education or to a municipal
18 governing body, board, commission or similar entity;

19 ~~27.~~ 32. Members of the Oklahoma State University Medical Center
20 Authority, the Oklahoma State University Medical Trust or the State
21 Board of Osteopathic Examiners;

22 ~~28.~~ 33. Any member of the state Legislature or any state
23 officer who serves on the board of trustees of the Oklahoma School
24 for the Visual and Performing Arts;

1 ~~29.~~ 34. Members of the Council on Judicial Complaints; and

2 ~~30.~~ 35. Any person who is a state employee but not a member of
3 the state military forces, including district attorneys, assistant
4 district attorneys, district court judges, associate district court
5 judges and special judges, when detailed as a military trial judge
6 pursuant to Section 826 of Title 44 of the Oklahoma Statutes or when
7 serving as an appellate military judge pursuant to Section 866 of
8 Title 44 of the Oklahoma Statutes when the Military Court of Appeals
9 is convened. The rules of procedure prescribed by the State Judge
10 Advocate pursuant to subsection L of Section 866 of Title 44 of the
11 Oklahoma Statutes shall define what constitutes the Military Court
12 of Appeals being "convened" for purposes of this paragraph.

13 The provisions of this section shall not prohibit any person
14 holding an office under the laws of the state or any deputy of any
15 officer so holding any office from serving upon the board of
16 Oklahoma Futures or upon the board of directors of the Oklahoma
17 Center for the Advancement of Science and Technology. The
18 provisions of this section shall not prohibit a member of the board
19 of directors of the Oklahoma Center for the Advancement of Science
20 and Technology from serving upon the board of Oklahoma Futures.

21 B. Except as provided in subsection C of this section,
22 salaries, emoluments or benefits that would otherwise be paid by the
23 agency or political subdivision to a loaned employee or officer
24 shall instead be paid to the regular employer of such employee. The

1 | loaned employee shall in turn be paid regular salary and benefits
2 | the same as if continuing regular employment with the permanent
3 | employer.

4 | C. Any person excepted pursuant to paragraph ~~30~~ 35 of
5 | subsection A of this section, when retained as a military trial
6 | judge or when serving as a military appellate judge when the
7 | Military Court of Appeals is convened, shall be entitled to military
8 | judicial leave in accordance with Section 209 of Title 44 of the
9 | Oklahoma Statutes.

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

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