

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1907

By: Kannady

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6 AS INTRODUCED

7 An Act relating to military; amending 72 O.S. 2011,  
8 Section 48, as amended by Section 645, Chapter 304,  
9 O.S.L. 2012 (72 O.S. Supp. 2016, Section 48), which  
10 relates to leave of absence to public officers and  
11 employees; limiting paid hours during certain leave  
of absence; expanding types of military operations  
that qualify a state employee or officer for certain  
pay calculations during a leave of absence; and  
providing an effective date.

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

15 SECTION 1. AMENDATORY 72 O.S. 2011, Section 48, as  
16 amended by Section 645, Chapter 304, O.S.L. 2012 (72 O.S. Supp.  
17 2016, Section 48), is amended to read as follows:

18 Section 48. All officers and employees of the state or a  
19 political subdivision thereof who are members, either officers or  
20 enlisted, of the National Guard or any branch of the United States  
21 Military or its reserve components, shall, when ordered by the  
22 proper authority to active or inactive duty or service, be entitled  
23 to a leave of absence from such civilian employment for the period  
24 of such service without loss of status or seniority. During the

1 first thirty (30) calendar days for employees of political  
2 subdivisions or the first thirty (30) regularly scheduled work days  
3 for state employees not to exceed two hundred forty (240) hours of  
4 such leave of absence in any federal fiscal year, the officers or  
5 employees shall receive their full regular pay from the employing  
6 state agency or political subdivision. During the remainder of such  
7 leave of absence in any federal fiscal year, the employing state  
8 agency or political subdivision may elect to pay the officer or  
9 employee an amount equal to the difference between their full  
10 regular pay from the employing state agency or political subdivision  
11 and their military pay, except that state officers and employees  
12 shall receive the difference between their full regular pay and  
13 their Reserve Components pay when they are ordered by proper  
14 authority to active or inactive service retroactive to the date that  
15 the officer or employee reported to active service on or after  
16 September 11, 2001, during the period that Operation Enduring  
17 Freedom is in effect or any subsequent contingency operation  
18 declared by the Secretary of Defense. The durational limit of  
19 protected military service as provided for in this section shall not  
20 be less than that provided by federal law. If it is necessary in  
21 the public interest to provide for the performance of the duties of  
22 their positions during such absence, the authority having power to  
23 fill a vacancy in the positions may appoint substitutes, to be known  
24 as acting incumbents, who shall qualify as required for the regular

1 incumbents and shall receive the same pay, including benefits and  
2 pay adjustments as fixed by law, if any, or otherwise such pay,  
3 including benefits and pay adjustments, as may be fixed by proper  
4 authority.

5 The Office of Management and Enterprise Services shall  
6 promulgate rules as necessary to implement the provisions of this  
7 section that relate to state employees.

8 SECTION 2. This act shall become effective November 1, 2017.

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10 56-1-5992 AMM 01/08/17

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