

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 2789

By: Downing

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5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Section 150.3, which relates to the Oklahoma
9 State Bureau of Investigation; adding ex officio
10 member to the Oklahoma State Bureau of Investigation
11 Commission; and providing an effective date.

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

13 SECTION 1. AMENDATORY 74 O.S. 2011, Section 150.3, is
14 amended to read as follows:

15 Section 150.3 A. There is hereby created an Oklahoma State
16 Bureau of Investigation Commission which shall consist of ~~seven (7)~~
17 the following members:

18 1. One ex officio member, who shall be the Attorney General or
19 designee; and

20 2. Seven appointed members, not more than two of whom shall be
21 from the same congressional district. When congressional districts
22 are redrawn, each member appointed prior to July 1 of the year in
23 which such modification becomes effective shall complete the current
24 term of office and appointments made after July 1 of the year in

1 which such modification becomes effective shall be based on the
2 redrawn districts. No appointments may be made after July 1 of the
3 year in which such modification becomes effective if such
4 appointment would result in more than two members serving from the
5 same modified district. The members shall be appointed by the
6 Governor and confirmed by the Senate and shall be removable only for
7 cause, as provided by law for the removal of officers not subject to
8 impeachment. The term of office of each member shall be seven (7)
9 years. The first appointments shall be for the following terms as
10 designated by the Governor: one member for a term of one (1) year;
11 one member for a term of two (2) years; one member for a term of
12 three (3) years; one member for a term of four (4) years; one member
13 for a term of five (5) years; one member for a term of six (6)
14 years; and one member for a term of seven (7) years. A member may
15 serve more than one term on the Commission. Each member shall
16 continue to serve so long as the member is qualified until a
17 successor has been appointed and confirmed by the Senate. Vacancies
18 occurring during a term shall be filled for the unexpired portion of
19 the term by the same procedure used to make the regular
20 appointments.

21 B. Four of the appointed members shall represent the lay
22 citizenry, one appointed member shall be a district attorney while
23 serving in that capacity, one appointed member shall be a sheriff
24 while serving in that capacity, and one appointed member shall be a

1 chief of police while serving in that capacity; provided, that the
2 sheriff and police chief members shall have successfully completed
3 an approved course of instruction for peace officers as required by
4 law.

5 C. Annually the Commission shall select one of the Commission
6 members to serve as chair and one member to serve as vice-chair.
7 The Commission shall meet at least quarterly. The chair shall
8 preside at all meetings of the Commission and shall have the power
9 to call meetings of the Commission. In addition, meetings of the
10 Commission may be called by a majority of the members. The vice-
11 chair shall perform these functions in the absence or incapacity of
12 the chair. A quorum of four members of the Commission shall be
13 necessary to conduct any official business. All actions taken by
14 the Commission shall be by a simple majority vote of a quorum. In
15 the event of a tie vote, the measure being voted upon shall be
16 deemed to have failed.

17 The Commission shall adopt rules of procedure for the orderly
18 performance of its functions.

19 D. Members of the Commission shall serve without salary but may
20 be reimbursed for travel and other expenses in attending meetings
21 and performing their duties in the manner provided for other state
22 officers and employees under the State Travel Reimbursement Act.
23 The lay-citizen members shall be paid Thirty Dollars (\$30.00) per
24 diem for attendance at meetings of the Commission. No other

1 provisions of law shall be construed as prohibiting public officers
2 from also serving as members of the Commission, nor shall any other
3 provisions of law be construed as prohibiting public officers or
4 public employees from performing services for the Commission without
5 compensation. It is further provided that no town, city, county or
6 other subdivision or other agency of state government shall be
7 prohibited from receiving a grant or from benefiting from grants or
8 expenditures of the Commission for the reason that an officer or
9 employee of such town, city, county or other subdivision or agency
10 of state government is a Commission member or employee.

11 SECTION 2. This act shall become effective November 1, 2018.

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