

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1879

By: Treat

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5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Section 840-5.1A, as amended by Section 913,
9 Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2019, Section
10 840-5.1A), which relates to unclassified service;
11 establishing that the payment of severance benefits
12 requires written authorization of the agency director
13 for certain unclassified employees; providing an
14 effective date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 840-5.1A, as
17 amended by Section 913, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
18 2019, Section 840-5.1A), is amended to read as follows:

19 Section 840-5.1A. A. Within state government, persons
20 appointed to a position in the unclassified service after June 30,
21 1996, shall serve at the pleasure of the appointing authority.
22 Appointing authorities shall not convey any right or expectation of
23 continued employment to such unclassified employees. The appointing
24 authority may separate such unclassified employees at any time with
or without cause. No provision of the Oklahoma Personnel Act shall

1 be construed as granting any property interest in employment to any
2 unclassified service employee.

3 B. Nothing in this section is intended to change the status of
4 any unclassified employee appointed to a position on or before June
5 30, 1996.

6 C. This section shall not apply to persons in positions in
7 institutions under the jurisdiction of the Oklahoma State Regents
8 for Higher Education or subject to the University Hospitals
9 Authority Model Personnel System created pursuant to Section 3211 of
10 Title 63 of the Oklahoma Statutes.

11 D. Agencies may provide severance benefits pursuant to Section
12 840-2.27D of this title, and upon written authorization of the
13 director, to regular unclassified employees with one (1) year or
14 more continuous state service who are separated from the state
15 service for budgetary reasons. A plan providing for such benefits
16 shall be submitted to the Director of the Office of Management and
17 Enterprise Services who shall reject any plan that does not:

18 1. Demonstrate that funds are available to cover projected
19 costs;

20 2. Contain an estimate of the number of affected employees
21 likely to participate in the education voucher program established
22 in Section 840-2.27D of this title; and

23 3. Contain an estimate of the cost savings or reduced
24 expenditures likely to be achieved by the agency.

1 SECTION 2. This act shall become effective July 1, 2020.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.
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