

# An Act

ENROLLED SENATE  
BILL NO. 709

By: David of the Senate

and

Echols of the House

An Act relating to the Oklahoma Department of Public Safety; amending 47 O.S. 2011, Section 2-104, as amended by Section 160, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2018, Section 2-104), which relates to the Commissioner appointments; modifying appointments; making language gender neutral; and declaring an emergency.

SUBJECT: Oklahoma Department of Public Safety Commissioner appointments

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-104, as amended by Section 160, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2018, Section 2-104), is amended to read as follows:

Section 2-104. A. The Commissioner, subject to the Merit System laws, if applicable, shall appoint ~~an Assistant Commissioner~~ a Chief of Administration and such other deputies, subordinates, officers, investigators, and other employees as may be necessary to implement the provisions of this title. Any employee of the Department of Public Safety appointed to the position of ~~Assistant Commissioner~~ Chief of Administration who is otherwise statutorily eligible shall have a right to return to the previous position of the employee without any loss of rights, privileges or benefits immediately upon completion of the duties as ~~Assistant Commissioner~~

Chief of Administration, provided the employee is not otherwise disqualified.

B. When traveling with the Governor or at his or her request:

1. Those personnel assigned by the Commissioner for executive security shall be allowed their actual and necessary traveling expenses, upon claims approved by the Commissioner, and shall receive, in addition to base salary, an additional One Hundred Seventy-five Dollars (\$175.00) per month; and

2. Those personnel serving as noncommissioned pilots in the Department of Public Safety shall be allowed their actual and necessary traveling expenses, upon claims approved by the Commissioner.

C. Any person appointed to the position of ~~Assistant Commissioner~~ Chief of Administration of the Department of Public Safety shall be eligible for retirement participation as a member of the Highway Patrol Division in the Oklahoma Law Enforcement Retirement System if such person at the time of appointment satisfies the age qualifications of an Oklahoma Highway Patrolman as provided in subsection B of Section 2-105 of this title; ~~however,~~ and is otherwise eligible to participate in the retirement program; otherwise, the Chief of Administration shall participate in the Oklahoma Public Employees Retirement upon appointment. However, the ~~Assistant Commissioner~~ Chief of Administration shall be eligible for participation in only one retirement system and shall elect in writing the system in which ~~he~~ the Chief of Administration intends to participate.

D. The salaries of the employees of the Department of Public Safety, shall be governed by and in accordance with the procedures established by the Office of Management and Enterprise Services, unless otherwise provided by law.

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

Passed the Senate the 11th day of March, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2019.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_