

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1670

By: West (Kevin)

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2011, Section 683.9, as last amended by
9 Section 3, Chapter 17, 1st Extraordinary Session,
10 O.S.L. 2013 (63 O.S. Supp. 2020, Section 683.9),
11 which relates to emergency powers of the Governor;
12 providing for termination of states of emergency;
13 providing for legislative extensions; and providing
14 an effective date.

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

16 SECTION 1. AMENDATORY 63 O.S. 2011, Section 683.9, as
17 last amended by Section 3, Chapter 17, 1st Extraordinary Session,
18 O.S.L. 2013 (63 O.S. Supp. 2020, Section 683.9), is amended to read
19 as follows:

20 Section 683.9 The provisions of this section shall be operative
21 only during the existence of a natural or man-made emergency. The
22 existence of such emergency may be proclaimed by the Governor or by
23 concurrent resolution of the Legislature if the Governor in such
24 proclamation, or the Legislature in such resolution, finds that an
25 emergency or disaster has occurred or is anticipated in the
26 immediate future. Any such emergency, ~~whether~~ proclaimed by the

1 Governor ~~or by the Legislature,~~ shall terminate upon the
2 proclamation of the termination thereof by the Governor, or by
3 passage by the Legislature of a concurrent resolution terminating
4 such emergency, or automatically after thirty (30) days, whichever
5 shall occur first; provided, however, the Legislature may by
6 concurrent resolution extend such proclamation as it sees fit. Any
7 emergency proclaimed by the Legislature shall terminate upon the
8 passage by the Legislature of a concurrent resolution terminating
9 such emergency. During such period as such state of emergency
10 exists or continues, the Governor shall have and may exercise the
11 following additional emergency powers:

12 1. To activate the Emergency Operations Plan, and to assume
13 regulatory control over all essential resources of this state,
14 directly or through the boards, agencies, offices and officers
15 established by the Emergency Operations Plan, to determine
16 priorities of such resources and allocate such resources as the
17 Governor may deem necessary in cooperation with the political
18 subdivisions of this state, the federal government, or other states.
19 "Resources" shall mean all economic resources within this state
20 including but not limited to food, manpower, health, water,
21 transportation, economic stabilization, electric power, petroleum,
22 gas, and solid fuel, industrial production, construction and
23 housing.

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1 2. To enforce all laws, rules and regulations relating to
2 emergency management and to assume direct operational control of any
3 or all emergency management forces and helpers in this state.

4 3. To provide for the evacuation of all or part of the
5 population from any stricken or threatened area or areas within this
6 state and to take such steps as are necessary for the receipt and
7 care of such evacuees.

8 4. Subject to the provisions of the State Constitution, to
9 remove from office any public officer having administrative
10 responsibilities under this act for willful failure to obey any
11 order, rule or regulation adopted pursuant to this act. Such
12 removal shall be upon charges after service upon such person of a
13 copy of such charges and after giving such person an opportunity to
14 be heard in the defense of such person. Pending the preparation and
15 disposition of charges, the Governor may suspend such person for a
16 period not exceeding thirty (30) days. A vacancy resulting from
17 removal or suspension pursuant to this section shall be filled by
18 the Governor until it is filled as otherwise provided by law.

19 5. To perform and exercise such other functions, powers, and
20 duties as are necessary to promote and secure the safety and
21 protection of the civilian population and to carry out the
22 provisions of the Emergency Operations Plan in a national or state
23 emergency.

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SECTION 2. This act shall become effective November 1, 2021.

58-1-6165 AB 01/12/21