

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2316

By: McCall of the House

and

Schulz and Fields of the
Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to state government; amending 74 O.S.
12 2011, Section 2, which relates to power of the
13 Governor; authorizing Governor to appoint or replace
14 certain persons; authorizing President Pro Tempore of
15 the Senate and the Speaker of the House of
16 Representatives to appoint or replace certain
17 persons; providing for codification; and providing an
18 effective date.

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

20 SECTION 1. AMENDATORY 74 O.S. 2011, Section 2, is
21 amended to read as follows:

22 Section 2. ~~The A. Notwithstanding any other provisions of law,~~
23 the Governor shall have power to remove any officers appointed by
24 ~~him, in case of incompetency, neglect of duty, or malfeasance in~~
~~office; and may then fill the same as provided in cases of vacancy~~
or her.

1 B. Notwithstanding any other provisions of law, in addition to
2 any appointments created by expiring terms or vacancies provided by
3 law, the Governor shall have the power to remove any gubernatorial
4 appointments on any agency, board or commission at any time, subject
5 to the provisions of this section. Nothing in this section shall
6 apply to appointments to any agency, board or commission if the
7 appointment authority is provided for in the Constitution. A
8 vacancy created pursuant to the provisions of this section shall be
9 filled as provided by law.

10 C. Provided, if a gubernatorial appointment requires
11 confirmation by the Senate, removal of the appointee shall also
12 require confirmation by the Senate. If the Governor removes such an
13 appointee when the Legislature is not in session, such appointee may
14 continue to serve pending confirmation by the Senate of the action
15 to remove the appointee.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 464.1 of Title 74, unless there
18 is created a duplication in numbering, reads as follows:

19 In addition to any appointments created by expiring terms or
20 vacancies provided by law, the President Pro Tempore of the Senate
21 and the Speaker of the House of Representatives shall have the power
22 to remove any of their respective appointments on any agency, board
23 or commission at any time, subject to the provisions of this
24 section. Nothing in this section shall apply to appointments to any

1 agency, board or commission if the appointment authority is provided
2 for in the Constitution. A vacancy created pursuant to the
3 provisions of this section shall be filled as provided by law.

4 SECTION 3. This act shall become effective November 1, 2017.

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