

1 ENGROSSED HOUSE  
2 BILL NO. 3542

By: Pfeiffer and Burns of the  
House

3 and

4 Weaver of the Senate  
5  
6

7 An Act relating to state government; creating the  
8 Oklahoma Fusion Center; providing for the separation  
9 of the Oklahoma Counter Terrorism Intelligence Center  
10 from the Department of Public Safety; transferring  
11 all funds and property to new agency; allowing  
12 personnel to retain employment positions and status;  
13 authorizing agency to contract with the Office of  
14 Management and Enterprise Services for payroll and  
15 administrative services; directing the Office of  
16 Management and Enterprise Services to coordinate the  
17 transfer of property and personnel; abolishing  
18 certain division within the Department of Public  
19 Safety upon completion of transfer; creating the  
20 Oklahoma Fusion Center Commission; providing for  
21 membership; requiring appointments within certain  
22 time frame; stating manner by which members serve  
23 their terms; designating the Executive Director as ex  
24 officio member and Secretary; providing for the  
selection of a chair and vice-chair; providing quorum  
requirement; providing exemption from dual office-  
holding prohibition; stating powers and duties of the  
Commission; allowing reimbursement for certain  
expenses; establishing meeting and vacancy  
requirements; providing for clerical staff and  
meeting space; directing the Commission to comply  
with the Oklahoma Open Meeting Act, Oklahoma Open  
Records Act, and the Administrative Procedures Act;  
stating powers and duties of the Oklahoma Fusion  
Center; providing for the appointment of an Executive  
Director; stating qualifications; authorizing the  
appointment of assistants and personnel; creating the  
Oklahoma Fusion Center Revolving Fund; providing  
sources of funds; providing for use of funds;  
prescribing procedures for expenditures; providing  
for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 52.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created an agency of state government to be designated the Oklahoma Fusion Center.

B. Beginning November 1, 2024, the Oklahoma Counter Terrorism Intelligence Center shall cease to be under the control of or in any manner affiliated with the Department of Public Safety and shall become a separate and distinct agency of the state, to be known as the Oklahoma Fusion Center. All unexpended funds, property, records, equipment, software, software licenses, personnel, grants, and outstanding financial obligations and encumbrances related to the Oklahoma Counter Terrorism Intelligence Center shall be transferred to the Oklahoma Fusion Center. All personnel shall retain their employment positions and status as unclassified employees, as well as any leave, sick, and annual time earned, and any retirement and longevity benefits which have accrued during their tenure with the Oklahoma Counter Terrorism Intelligence Center.

1 C. The Oklahoma Fusion Center may contract with the Office of  
2 Management and Enterprise Services for payroll or other  
3 administrative services.

4 D. The Office of Management and Enterprise Services is hereby  
5 directed to coordinate the transfer of funds, allotments, purchase  
6 orders, outstanding financial obligations, and encumbrances provided  
7 for in subsection B of this section. The transfer of personnel  
8 shall also be coordinated with the Office of Management and  
9 Enterprise Services.

10 E. The Oklahoma Fusion Center is authorized to rent, lease, or  
11 own appropriate office space and property to conduct its business.

12 F. The division within the Department of Public Safety known as  
13 the Oklahoma Counter Terrorism Intelligence Center shall be  
14 abolished by the Office of Management and Enterprise Services after  
15 the transfer is completed.

16 SECTION 2. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 52.2 of Title 74, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby created the Oklahoma Fusion Center  
20 Commission, which shall be an advisory body to the Executive  
21 Director of the Oklahoma Fusion Center.

22 B. The Oklahoma Fusion Center Commission shall consist of  
23 twelve (12) members as follows:

24 1. Four of the members shall be:

- a. the Commissioner of Public Safety or designee,
- b. the Director of the Oklahoma State Bureau of Investigation or designee,
- c. the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or designee, and
- d. the Director of Intelligence of the Department of Corrections or designee; and

2. Eight of the members shall be:

- a. two members appointed by the Oklahoma Association of Chiefs of Police, one of whom shall be a chief of police of a municipality with a population over forty thousand (40,000), as determined by the latest Federal Decennial Census, and one of whom shall be a chief of police of a municipality with a population under forty thousand (40,000), as determined by the latest Federal Decennial Census,
- b. two members appointed by the Oklahoma Sheriffs' Association, one of whom shall be a sheriff of a county with a population over forty thousand (40,000), as determined by the latest Federal Decennial Census, and one of whom shall be a sheriff of a county with a population under forty thousand (40,000), as determined by the latest Federal Decennial Census,

- 1           c.    one member who is a district attorney selected by the  
2                    District Attorneys Council,
- 3           d.    one member appointed by the Speaker of the Oklahoma  
4                    House of Representatives, who represents a tribal law  
5                    enforcement entity of one of the Five Civilized Tribes  
6                    whose primary tribal headquarters are located in this  
7                    state,
- 8           e.    one member appointed by the Speaker Pro Tempore of the  
9                    Oklahoma State Senate, who represents a tribal law  
10                   enforcement entity of one of the Five Civilized Tribes  
11                   whose primary tribal headquarters are located in this  
12                   state, and
- 13           f.    one member appointed by the Governor, who represents a  
14                   tribal law enforcement entity of a federally  
15                   recognized American Indian Tribe or nation whose  
16                   primary tribal headquarters are located in this state.

17           C.    Appointments to the initial Oklahoma Fusion Center

18 Commission shall be made within forty-five (45) days of the  
19 effective date of this act.

20           D.    Each member of the Oklahoma Fusion Center Commission shall  
21 serve at the pleasure of their appointing authority.

22           E.    The Executive Director of the Oklahoma Fusion Center  
23 appointed by the Commission shall be an ex officio member of the  
24 Commission and shall act as Secretary. A chair and vice-chair shall

1 be elected annually from the membership of the Oklahoma Fusion  
2 Center Commission. A majority of the members of the Commission  
3 shall constitute a quorum for the transaction of business and for  
4 taking any official action. Official action of the Commission must  
5 have a favorable vote by a majority of the members present.

6 F. Members who serve on the Commission shall be exempt from  
7 dual office-holding prohibitions pursuant to Section 6 of Title 51  
8 of the Oklahoma Statutes.

9 G. The Oklahoma Fusion Center Commission shall be the  
10 rulemaking body for the Oklahoma Fusion Center and shall have the  
11 power and duty to:

12 1. Establish the policies of the Oklahoma Fusion Center;

13 2. Adopt and promulgate rules as necessary and appropriate to  
14 carry out the duties and responsibilities of the Oklahoma Fusion  
15 Center;

16 3. Appoint an Executive Director and other staff for its  
17 operation; and

18 4. Prepare a budget for expenditures necessary for the  
19 Commission and the Oklahoma Fusion Center.

20 H. Members appointed pursuant to subsection B of this section  
21 shall serve without compensation but shall be reimbursed for their  
22 actual and necessary expenses incurred in the performance of their  
23 duties in accordance with the provisions of the State Travel  
24 Reimbursement Act.

1 I. The Oklahoma Fusion Center Commission shall meet as often as  
2 necessary at a place and time to be fixed by the Commission.  
3 Special meetings may be called by the chair or by four members of  
4 the Commission by delivery of written notice to each member of the  
5 Commission.

6 J. Any vacancy occurring on the Oklahoma Fusion Center  
7 Commission shall be filled for the unexpired term of office in the  
8 same manner as provided for in subsection B of this section.

9 K. The Oklahoma Fusion Center shall provide clerical staff to  
10 perform designated duties of the Oklahoma Fusion Center Commission.  
11 The Oklahoma Fusion Center shall also provide space for meetings of  
12 the Commission.

13 L. Except as provided in Section 24A.28 of Title 51 of the  
14 Oklahoma Statutes, the Oklahoma Fusion Center Commission shall act  
15 in accordance with the provisions of the Oklahoma Open Records Act  
16 and shall be subject to the provisions of the Oklahoma Open Meeting  
17 Act and the Administrative Procedures Act.

18 SECTION 3. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 52.3 of Title 74, unless there  
20 is created a duplication in numbering, reads as follows:

21 The Oklahoma Fusion Center shall have the power and duty to:

22 1. Establish and maintain an information clearinghouse in order  
23 to accept and appropriately process information provided by law  
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1 enforcement agencies, public safety agencies, private sector  
2 agencies, and concerned citizens;

3 2. Provide informative reports and assessments, both strategic  
4 and tactical, for homeland security initiatives;

5 3. Provide real-time support to law enforcement and public  
6 safety agencies;

7 4. Consolidate information and data on suspicious activities  
8 and threats from all jurisdictions within Oklahoma;

9 5. Facilitate communication and collaboration with  
10 multidisciplinary partners including local, state, and federal law  
11 enforcement and nongovernmental organizations; and

12 6. Provide early warning of incidents at the local, regional,  
13 and state levels.

14 SECTION 4. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 52.4 of Title 74, unless there  
16 is created a duplication in numbering, reads as follows:

17 A. The Executive Director of the Oklahoma Fusion Center shall  
18 be appointed by the Oklahoma Fusion Center Commission. The  
19 Executive Director of the Oklahoma Fusion Center shall have a  
20 bachelor's degree from an accredited college or university and at  
21 least five (5) years of experience in law enforcement. The  
22 Executive Director shall be subject to an Oklahoma and national  
23 criminal history background check conducted by the Oklahoma State  
24 Bureau of Investigation prior to appointment by the Commission.



1 B. The Executive Director shall receive a law enforcement  
2 commission by either the Oklahoma State Bureau of Investigation, the  
3 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, or  
4 the Oklahoma Department of Public Safety.

5 C. The Executive Director may appoint necessary assistants and  
6 other personnel to perform the work of the agency and may prescribe  
7 their titles and duties and fix their compensation.

8 SECTION 5. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 52.5 of Title 74, unless there  
10 is created a duplication in numbering, reads as follows:

11 There is hereby created in the State Treasury a revolving fund  
12 for the Oklahoma Fusion Center to be designated the "Oklahoma Fusion  
13 Center Revolving Fund". The fund shall be a continuing fund, not  
14 subject to fiscal year limitations, and shall consist of any monies  
15 received from gifts, bequests, devises, contributions or grants,  
16 public or private, including federal funds unless otherwise  
17 prohibited by federal law or regulation, and receipts from any other  
18 source. All monies accruing to the credit of said fund are hereby  
19 appropriated and may be budgeted and expended by the Oklahoma Fusion  
20 Center for general operations of the agency. Expenditures from said  
21 fund shall be made upon warrants issued by the State Treasurer  
22 against claims filed as prescribed by law with the Director of the  
23 Office of Management and Enterprise Services for approval and  
24 payment.

