

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1538

By: Gollihare

AS INTRODUCED

An Act relating to the Oklahoma Department of Emergency Management; amending 63 O.S. 2021, Section 683.23, which relates to civil actions; providing certain authority to certified law enforcement officers; updating statutory reference; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 683.23, is amended to read as follows:

Section 683.23. A. The Oklahoma Department of Emergency Management (~~OEM~~) may request the Attorney General to institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the appropriate district court, whenever any person:

1. Violates, ~~or~~ fails, or refuses to comply with any order or decision issued by the ~~OEM~~ Department;

2. Interferes with, hinders, or delays the ~~OEM~~ Department in carrying out its duties and responsibilities;

1 3. Refuses to admit authorized representatives of the ~~OEM~~
2 Department;

3 4. Refuses to permit inspection by authorized representatives
4 of the ~~OEM~~ Department;

5 5. Refuses to furnish any information or report requested by
6 the ~~OEM~~ Department to accomplish its duties and responsibilities; or

7 6. Refuses to permit access to, or copying of, such records as
8 the ~~OEM~~ Department determines necessary to accomplish its duties and
9 responsibilities.

10 B. The court shall have jurisdiction to provide such relief as
11 may be appropriate. Any relief granted by the court to enforce an
12 order under subsection A of this section shall continue in effect
13 until the completion or final termination of all proceedings for
14 review of such order is made, unless the district court granting
15 such relief sets it aside or modifies it.

16 C. Any person willfully violating any rule, regulation, or
17 order of ~~the OEM~~ an emergency management director with authority in
18 that jurisdiction and acting in his or her capacity as such shall be
19 deemed guilty of a misdemeanor, and shall, upon conviction thereof,
20 be punished by imprisonment in the county jail for not more than six
21 (6) months, or by a fine ~~of~~ not more than Three Thousand Dollars
22 (\$3,000.00), or by both such imprisonment and fine. Each day of
23 violation shall constitute a separate offense.

1 D. ~~The Department of Public Safety, the Oklahoma State Bureau~~
2 ~~of Investigation, and the Oklahoma Tax Commission~~ Any certified law
3 enforcement officer in the state shall assist ~~the OEM~~ an emergency
4 management director in the enforcement of any rule, regulation, or
5 order of the ~~OEM~~ emergency management director.

6 SECTION 2. This act shall become effective November 1, 2024.

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