

1 **SENATE FLOOR VERSION**

2 February 15, 2024

3 SENATE BILL NO. 1538

By: Gollihare

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6 An Act relating to the Oklahoma Department of
7 Emergency Management; amending 63 O.S. 2021, Section
8 683.23, which relates to civil actions; providing
9 certain authority to certified law enforcement
10 officers; updating statutory reference; updating
11 statutory language; and providing an effective date.

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

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

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

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

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

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

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

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

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

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

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

22 D. ~~The Department of Public Safety, the Oklahoma State Bureau~~
23 ~~of Investigation, and the Oklahoma Tax Commission~~ Any certified law
24 enforcement officer in the state shall assist ~~the OEM~~ an emergency

1 management director in the enforcement of any rule, regulation, or
2 order of the ~~DEM~~ emergency management director.

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

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 February 15, 2024 - DO PASS
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