

An Act

ENROLLED SENATE
BILL NO. 1707

By: Hamilton and Gollihare of
the Senate

and

Kannady and McDugle of the
House

An Act relating to State Veterans Homes; establishing State Veterans Home at Sallisaw; directing assumption of certain operations; amending 72 O.S. 2021, Section 222, which relates to the Oklahoma Department of Veterans Affairs Revolving Fund; conforming and updating language; amending 72 O.S. 2021, Section 229, as amended by Section 16, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229), which relates to State Veterans Home at Talihina; directing transfer of operations upon certain date; removing obsolete language; modifying statutory reference; amending 72 O.S. 2021, Section 229.1, as amended by Section 17, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229.1), which relates to authority to plan, develop, and construct Oklahoma veterans facilities; specifying facility to assume certain operations; modifying requirements for location of facilities; broadening allowed uses of certain proceeds; amending 72 O.S. 2021, Section 240, as amended by Section 18, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 240), which relates to petty cash funds; conforming language; providing for codification; and declaring an emergency.

SUBJECT: State Veterans Homes

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 229.2 of Title 72, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established, in addition to the other State Veterans Homes established under this title, the State Veterans Home at Sallisaw, Oklahoma, on the site determined by the Oklahoma Veterans Commission under subsections C and D of Section 229.1 of Title 72 of the Oklahoma Statutes.

B. The State Veterans Home at Sallisaw shall assume operations of the State Veterans Home at Talihina, Oklahoma, established under Section 229 of Title 72 of the Oklahoma Statutes, upon the date determined by the Commission under such section.

SECTION 2. AMENDATORY 72 O.S. 2021, Section 222, is amended to read as follows:

Section 222. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Veterans Affairs to be known as the ~~Oklahoma~~ "Oklahoma Department of Veterans Affairs Revolving Fund". The revolving fund shall consist of all funds and monies received by the Oklahoma Department of Veterans Affairs, its constituent institutions, and/or ~~the~~ Oklahoma Veterans Commission, from any gifts, contributions, bequests, individual reimbursements except as otherwise provided by law, and other sources of revenue, for the care or support of war veterans discharged other than under dishonorable conditions, who have been admitted and cared for at the Oklahoma Department of Veterans Affairs Centers, ~~at Ardmore, Claremore, Clinton, Lawton/Ft. Sill, Norman, Sulphur or Talihina~~ Sallisaw. Provided, no grants-in-aid, reimbursements, or other revenue from the United States government or any instrumentality of the United States government shall be deposited in the fund. Provided further, nothing contained herein prohibits the establishment and utilization of special agency accounts by the Oklahoma Department of Veterans Affairs and its constituent institutions, as may be approved by the ~~Special Agency Account Board~~ Director of the Office of Management and Enterprise Services, for receipt and disbursement of the personal funds of Veteran Center patients and members and/or for receipt and

disbursement of charitable contributions and donations for use by and for patients and members.

B. The revolving fund herein created shall be used by the Oklahoma Department of Veterans Affairs to pay for the care of war veterans discharged other than under dishonorable conditions, in Veterans Centers, to pay the general operating expenses of the Veterans Centers, including the payment of salaries and wages of officials and employees, to pay for the employee safety programs and incentive awards provided for in Section 63.10a of this title, and to remodel, repair, construct, build additions, modernize, or add improvements of domiciliary or hospital buildings necessary for the care of veterans, including tuberculosis, mentally ill or neuropsychiatric patients, but not excluding others; and architectural plans, specifications, or other costs pertinent thereto.

C. The Oklahoma Department of Veterans Affairs may transfer monies from the revolving fund created in this section to the W.V.C. Revolving Fund in the State Treasury.

D. All expenditures from the revolving fund shall be made upon warrants issued by the State Treasurer based upon claims approved by the Oklahoma Department of Veterans Affairs, as provided by law, and filed with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 3. AMENDATORY 72 O.S. 2021, Section 229, as amended by Section 16, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229), is amended to read as follows:

Section 229. A. Until operations are transferred pursuant to subsection B of this section, there is hereby established, in addition to the other State Veterans Homes established by ~~Sections 221 and 226~~ of this title, the State Veterans Home at Talihina, Oklahoma, on the site of the Oklahoma State Sanatorium, Talihina, Oklahoma. ~~All persons serving as employees of the Oklahoma State Sanatorium under the provisions of the State Merit System of Personnel Administration shall continue to serve as employees of the State Veterans Home at Talihina, provided that such employees remain in the classified service. All employees hired by the State Veterans Home at Talihina on or after July 1, 1975, shall be under~~

~~the Oklahoma Merit System of Personnel Administration, except one manager, one principal assistant or deputy, one private secretary, part-time physicians and other professional personnel engaged in clinical and consultant services. The average number of full-time equivalent employees utilized in the total operation of the State Veterans Home, Talihina, shall not exceed one hundred fifty-three (153) during the fiscal year ending June 30, 1976. The buildings, equipment and land under the jurisdiction of the Oklahoma State Sanatorium, Talihina, are hereby transferred to the State Veterans Home, Talihina.~~

B. Upon a date to be determined by the Oklahoma Veterans Commission, operations of the State Veterans Home at Talihina established under this section shall be transferred to the State Veterans Home at Sallisaw, Oklahoma, established under Section 1 of this act.

SECTION 4. AMENDATORY 72 O.S. 2021, Section 229.1, as amended by Section 17, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 229.1), is amended to read as follows:

Section 229.1. A. The Oklahoma Department of Veterans Affairs is authorized to plan, develop and construct two long-term care facilities for the following purposes:

1. To assume the operations of the State Veterans Home established in Talihina pursuant to Section 229 of this title. In accordance with Section 229 of this title and Section 1 of this act, the facility to assume operations of the State Veterans Home at Talihina shall be the State Veterans Home at Sallisaw, Oklahoma, established under Section 1 of this act; and

2. To replace the State Veterans Home established in Ardmore pursuant to Section 221 of this title.

B. For the two long-term care facilities authorized in subsection A of this section, the Department may construct new facilities or refurbish any existing facilities on property currently owned by this state or on property purchased or donated from other sources including but not limited to private owners, tribal entities or other governmental or municipal entities.

C. 1. ~~The location of the facility referenced in paragraph 1 of subsection A of this section shall be subject only to such geographical constraints as are imposed by the United States Department of Veterans Affairs to preserve and continue recognition and certification of the facility as a State Veterans Home located within or near the corporate limits of the City of Sallisaw.~~

2. The facility referenced in paragraph 2 of subsection A of this section shall be located within the corporate limits of the ~~city~~ City of Ardmore or within five (5) miles of the corporate limits of the ~~city~~ City of Ardmore.

D. The locations and sites of the two facilities referenced in subsection A of this section shall be determined by the Oklahoma Veterans Commission, subject to such geographical constraints as are imposed by the United States Department of Veterans Affairs for certification as a State Veterans Home. The Oklahoma Veterans Commission may consider any and all criteria which, in its sole discretion, further the interests of Oklahoma veterans.

E. The project constituting the construction of the replacement, long-term care facility for the Ardmore Veterans Home shall be exempt from the requirements of Sections 9030 through 9030.8 of Title 74 of the Oklahoma Statutes.

F. The proceeds received from the sale of the State Veterans Home in Talihina, along with all associated real and personal property, shall belong to the Oklahoma Department of Veterans Affairs and shall be used for any one or more of the following purposes:

1. To purchase land upon which the replacement, long-term care facility for the Ardmore Veterans Home will be located;

2. To purchase any other personal property needed for the construction and furnishing of the replacement, long-term care facility for the Ardmore Veterans Home; ~~and~~

3. To fund operations of the State Veterans Home at Sallisaw;
and

4. To complete the state match for a grant offered under the State Veterans Home Construction Grant Program of the United States Department of Veterans Affairs.

SECTION 5. AMENDATORY 72 O.S. 2021, Section 240, as amended by Section 18, Chapter 83, O.S.L. 2022 (72 O.S. Supp. 2023, Section 240), is amended to read as follows:

Section 240. There is hereby created a petty cash fund at the Oklahoma Department of Veterans Affairs, at the State Veterans Home, Ardmore, Oklahoma, at the State Veterans Home, Clinton, Oklahoma, at the State Veterans Home, Sulphur, Oklahoma, at the State Veterans Home, ~~Talihina~~ Sallisaw, Oklahoma, at the State Veterans Home, Norman, Oklahoma, at the State Veterans Home, Claremore, Oklahoma, and at the State Veterans Home, Lawton/Ft. Sill, Oklahoma. The Director of the Office of Management and Enterprise Services and the Director of the Oklahoma Department of Veterans Affairs are authorized to fix the maximum amount of these petty cash funds and the Director of the Office of Management and Enterprise Services shall prescribe the rules and procedures for the administration of these petty cash funds.

SECTION 6. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 14th day of March, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____