

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE
5 BILL NO. 365

By: David and Bergstrom of the
Senate

6 and

7 Steagall of the House

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10 An Act relating to public safety awards; amending
11 Section 1, Chapter 17, O.S.L. 2017 (47 O.S. Supp.
12 2020, Section 2-108.5), which relates to the Oklahoma
State Award Program Committee; modifying included
awards; and providing an effective date.

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

16 SECTION 1. AMENDATORY Section 1, Chapter 17, O.S.L. 2017
17 (47 O.S. Supp. 2020, Section 2-108.5), is amended to read as
18 follows:

19 Section 2-108.5. A. 1. There is hereby created the Oklahoma
20 State Award Program Committee. The purpose of the Committee is to
21 create, establish eligibility requirements and make recommendation
22 for awarding the Oklahoma Medal of Valor for meritorious service,
23 the Oklahoma Distinguished Meritorious Service Medal for extended
24 exemplary service to the state and the Oklahoma Purple Heart for

1 serious line of duty injuries for law enforcement and public safety
2 members employed by municipal, county, state and employees of
3 federal agencies working in Oklahoma.

4 2. There is hereby established the Oklahoma Medal of Valor, the
5 Oklahoma Distinguished Meritorious Service Medal and the Oklahoma
6 Purple Heart, along with authorized appurtenances, for award by the
7 Governor, in the name of the state, to any person who has
8 demonstrated meritorious achievement, or a distinct act of courage,
9 shown distinguished meritorious service to the state over an
10 extended period of service or who has incurred injury or wounds,
11 while performing or actively engaged in public service activities.
12 The Oklahoma Purple Heart is limited to law enforcement and public
13 safety members employed by municipal, county, state and employees of
14 federal agencies working in Oklahoma.

15 3. The purpose of each award is to formally recognize
16 extraordinary acts of valor by public safety members and citizens of
17 Oklahoma who engage in extraordinary acts of bravery and valor and
18 to formally recognize public safety members in Oklahoma who have
19 been seriously injured in the line of duty and to acknowledge the
20 distinguished meritorious service of citizens to the state.

21 B. The members of the Oklahoma State Award Program (OSAP)
22 Committee shall have experience in the field of public safety and
23 public service. The OSAP Committee shall be composed of nine (9)
24 members as follows:

- 1 1. The Lieutenant Governor, who shall serve as chair;
- 2 2. The Adjutant General of the Oklahoma National Guard;
- 3 3. The Commissioner of the Department of Public Safety;
- 4 4. The Director of the Department of Corrections;
- 5 5. The Director of the Department of Transportation;
- 6 6. The President of the Oklahoma Sheriffs' Association;
- 7 7. The President of the Oklahoma Association of Chiefs of
- 8 Police;
- 9 8. The President of the Oklahoma State Firefighters
- 10 Association; and
- 11 9. The President of the Oklahoma Sheriffs and Peace Officers
- 12 Association.

13 C. Except at any meeting to select recipients of the Oklahoma
14 Medal of Valor ~~and~~, the Oklahoma Distinguished Meritorious Service
15 Medal or the Oklahoma Purple Heart, each member, other than the
16 chair, may be represented by a designee; provided, the designee must
17 be an active member in good standing with the agency or association
18 to which the appointed member belongs. The Chairman reserves the
19 right to appoint an advisory board to collect, review and make
20 initial award recommendations to the OSAP committee. The advisory
21 board will be comprised of designees from the nine-member OSAP
22 committee.

23 D. The Committee shall conduct its first meeting no later than
24 ninety (90) calendar days after the appointment of the last member.

1 The Committee shall meet at the direction of the chair, and shall
2 normally meet not less than once each year and not more than three
3 times each year.

4 E. A majority of the members shall constitute a quorum to
5 conduct business.

6 F. The members of the Committee shall serve without
7 compensation, except that the members may be reimbursed for
8 reasonable and necessary expenses arising from Committee activities
9 or business. Such expenses shall be paid by the respective agencies
10 at which the member is employed at the time the expense is incurred.

11 G. No member of the OSAP Committee shall solicit, seek or
12 request individuals to submit individuals for awards. OSAP
13 Committee members may explain the program to interested individuals.
14 The Committee may secure directly from any department or agency such
15 information as the Committee deems necessary to carry out its
16 duties.

17 H. The Commissioner of the Department of Public Safety shall
18 promulgate rules to establish the following:

19 1. Design of the Oklahoma Medal of Valor, the Oklahoma
20 Distinguished Meritorious Service Medal and the Oklahoma Purple
21 Heart and any authorized appurtenances proposed by the Adjutant
22 General;

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1 2. Criteria for eligibility for award of the Oklahoma Medal of
2 Valor ~~and~~, the Oklahoma Distinguished Meritorious Service Medal or
3 the Oklahoma Purple Heart proposed by the Adjutant General;

4 3. Criteria for the proper wear of the Oklahoma Medal of Valor
5 ~~and~~, the Oklahoma Distinguished Meritorious Service Medal or the
6 Oklahoma Purple Heart proposed by the Adjutant General;

7 4. Method of purchasing the Oklahoma Medal of Valor ~~and~~, the
8 Oklahoma Distinguished Meritorious Service Medal or the Oklahoma
9 Purple Heart;

10 5. Order of precedence relating to other state awards; and

11 6. Other rules deemed necessary to carry out the provisions of
12 this ~~act~~ section.

13 I. The Committee shall consider candidates for award for the
14 Oklahoma Medal of Valor ~~and~~, the Oklahoma Distinguished Meritorious
15 Service Medal or the Oklahoma Purple Heart only from the
16 applications received. The OSAP Committee may go into executive
17 session to deliberate and select recommended recipients. The Chair
18 shall present to the Governor the names of recommendations as Medal
19 recipients.

20 J. The Committee shall not disclose any information which may
21 compromise an ongoing law enforcement investigation or information
22 that is otherwise required by law to be kept confidential. Only the
23 final recommendation for receipt of the Oklahoma Medal of Valor, the
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1 Oklahoma Distinguished Service Medal and the Oklahoma Purple Heart
2 shall be subject to the Oklahoma Open Records Act.

3 K. The Oklahoma Medal of Valor, the Oklahoma Distinguished
4 Service Medal and the Oklahoma Purple Heart may not be awarded to
5 any person who was not selected by the Committee.

6 L. The award of the Oklahoma Medal of Valor, the Oklahoma
7 Distinguished Service Medal and the Oklahoma Purple Heart may be
8 rescinded for suitable cause. The Chair, with the consent of the
9 Committee, shall forward the recommendation for rescission to the
10 Governor. The final decision to rescind must be approved by the
11 Governor.

12 M. The Oklahoma Medal of Valor ~~and~~, the Oklahoma Distinguished
13 Service Medal or the Oklahoma Purple Heart may be awarded
14 posthumously and may be presented to such representative of the
15 deceased's family as may be deemed appropriate by the Governor.

16 SECTION 2. This act shall become effective November 1, 2021.

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18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/30/2021 -
19 DO PASS.
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