

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 270

By: Daniels

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6 AS INTRODUCED

7 An Act relating to appointment powers; amending 74  
8 O.S. 2011, Section 2, which relates to power of the  
9 Governor; authorizing Governor to appoint or replace  
10 certain persons; providing exception; authorizing  
11 President Pro Tempore of the Senate and the Speaker  
of the House of Representatives to appoint or replace  
certain persons; providing exception; providing for  
codification; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 2, is  
15 amended to read as follows:

16 Section 2. The A. Notwithstanding any other provisions of law,  
17 the Governor shall have power to remove any officers appointed by  
18 ~~him, in case of incompetency, neglect of duty, or malfeasance in~~  
19 ~~office; and may then fill the same as provided in cases of vacancy~~  
20 or her.

21 B. Notwithstanding any other provision of law, in addition to  
22 any appointments created by expiring terms or vacancies provided by  
23 law, the Governor shall have the power to remove any gubernatorial  
24 appointments on any agency, board or commission at any time, subject

1 to the provisions of this section. Nothing in this section shall  
2 apply to appointments to any agency, board or commission if the  
3 appointing authority is provided for in the Constitution. A vacancy  
4 created pursuant to the provisions of this section shall be filled  
5 as provided by law.

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 464.1 of Title 74, unless there  
8 is created a duplication in numbering, reads as follows:

9 In addition to any appointments created by expiring terms or  
10 vacancies provided by law, the President Pro Tempore of the Senate  
11 and the Speaker of the House of Representatives shall have the power  
12 to remove any of their respective appointments on any agency, board  
13 or commission at any time, subject to the provisions of this  
14 section. Nothing in this section shall apply to appointments to any  
15 agency, board or commission if the appointing authority is provided  
16 for in the Constitution. A vacancy created pursuant to the  
17 provisions of this section shall be filled as provided by law.

18 SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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