

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2656

By: Steagall

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6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2021, Section 683.4, which relates to powers
and duties of the Director of the Oklahoma Department
9 of Emergency Management and Homeland Security;
10 modifying scope of authority; amending 63 O.S. 2021,
Section 683.9, which relates to emergency powers of
11 the Governor; limiting duration of certain
proclamations; providing for approval of extension by
Legislature; and providing an effective date.

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

15 SECTION 1. AMENDATORY 63 O.S. 2021, Section 683.4, is
16 amended to read as follows:

17 Section 683.4 A. There is hereby created the Oklahoma
18 Department of Emergency Management and Homeland Security (OEM). The
19 Governor shall appoint a Director of the Department, with the advice
20 and consent of the Senate, who shall be the head of the Department.
21 The Governor shall fix the salary of the Director, in cooperation
22 with standards promulgated by the Office of Management and
23 Enterprise Services.

1 B. The Director may employ personnel and fix their compensation
2 in cooperation with standards promulgated by the Office of
3 Management and Enterprise Services, and may make such expenditures
4 within the appropriation therefor, or from such other available
5 funds as may be necessary to carry out the purposes of the Oklahoma
6 Emergency Management Act of 2003 and other programs specified by
7 law.

8 C. The Director and other personnel of the Department shall be
9 provided with appropriate office space, furniture, equipment,
10 supplies, stationery, and printing in the same manner as provided
11 for personnel of other state agencies.

12 D. The Director, subject to the direction and control of the
13 Governor, shall be the executive head of the Department and shall
14 serve as the chief advisor to the Governor on emergency management
15 and shall:

16 1. Be responsible to the Governor for carrying out the programs
17 as required by law;

18 2. Coordinate the activities of all organizations for emergency
19 management within the state;

20 3. ~~Maintain~~ Be the liaison with to and cooperate with the
21 emergency management agencies and organizations of other states and
22 of the federal government;

23 4. Develop and maintain a comprehensive all-hazards mitigation
24 plan for this state;

1 5. Implement the Oklahoma Hazard Mitigation Program;

2 6. Have such additional ~~authority,~~ duties, and responsibilities
3 authorized by the Oklahoma Emergency Management Act of 2003 and as
4 may be prescribed by the Governor;

5 7. Supervise the Office of Volunteerism in accordance with
6 Section 683.26 of this title; and

7 8. Report quarterly to the Governor, the Speaker of the House
8 of Representatives and the President Pro Tempore of the Senate the
9 balance and outstanding obligations of the State Emergency Fund.

10 E. The Director shall supervise the formulation, execution,
11 review and revisions of the ~~state~~ Emergency Operations Plan as
12 provided for by Section 683.2 of this title. The plan shall be
13 reviewed annually and revised as necessary.

14 SECTION 2. AMENDATORY 63 O.S. 2021, Section 683.9, is
15 amended to read as follows:

16 Section 683.9 The provisions of this section shall be operative
17 only during the existence of a natural or man-made emergency. The
18 existence of such emergency may be proclaimed by the Governor or by
19 concurrent resolution of the Legislature if the Governor in such
20 proclamation, or the Legislature in such resolution, finds that an
21 emergency or disaster has occurred or is anticipated in the
22 immediate future. Any such emergency, ~~whether~~ proclaimed by the
23 Governor ~~or by the Legislature,~~ shall terminate upon the
24 proclamation of the termination thereof by the Governor, ~~or by~~

1 automatically after thirty (30) days unless renewed by concurrent
2 resolution of the Legislature, whichever occurs first. Any such
3 emergency proclaimed by the Legislature shall terminate upon passage
4 by the Legislature of a concurrent resolution terminating such
5 emergency. During such period as such state of emergency exists or
6 continues, the Governor shall have and may exercise the following
7 additional emergency powers:

8 1. To activate the Emergency Operations Plan, and to assume
9 regulatory control over all essential resources of this state,
10 directly or through the boards, agencies, offices and officers
11 established by the Emergency Operations Plan, to determine
12 priorities of such resources and allocate such resources as the
13 Governor may deem necessary in cooperation with the political
14 subdivisions of this state, the federal government, or other states.
15 "Resources" shall mean all economic resources within this state
16 including, but not limited to, food, manpower, health, water,
17 transportation, economic stabilization, electric power, petroleum,
18 gas, and solid fuel, industrial production, construction and
19 housing-;

20 2. To enforce all laws, rules and regulations relating to
21 emergency management and to assume direct operational control of any
22 or all emergency management forces and helpers in this state-;

23 3. To provide for the evacuation of all or part of the
24 population from any stricken or threatened area or areas within this

1 state and to take such steps as are necessary for the receipt and
2 care of such evacuees-;

3 4. Subject to the provisions of the State Constitution, to
4 remove from office any public officer having administrative
5 responsibilities under ~~this act~~ the Oklahoma Emergency Management
6 Act of 2003 for willful failure to obey any order, rule or
7 regulation adopted pursuant to ~~this act~~ the Oklahoma Emergency
8 Management Act of 2003. Such removal shall be upon charges after
9 service upon such person of a copy of such charges and after giving
10 such person an opportunity to be heard in the defense of such
11 person. Pending the preparation and disposition of charges, the
12 Governor may suspend such person for a period not exceeding thirty
13 (30) days. A vacancy resulting from removal or suspension pursuant
14 to this section shall be filled by the Governor until it is filled
15 as otherwise provided by law-; and

16 5. To perform and exercise such other functions, powers, and
17 duties as are necessary to promote and secure the safety and
18 protection of the civilian population and to carry out the
19 provisions of the Emergency Operations Plan in a national or state
20 emergency.

21 SECTION 3. This act shall become effective November 1, 2023.

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23 59-1-6144 TJ 12/15/22

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