

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3061

By: Steagall

AS INTRODUCED

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

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

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

A. There is hereby created the Oklahoma Department of Emergency Management (OEM). The Governor shall appoint a Director of the Department, with the advice and consent of the Senate, who shall be the head of the Department. The Governor shall fix the salary of the Director, in cooperation with standards promulgated by the Office of Management and Enterprise Services.

B. The Director may employ personnel and fix their compensation in cooperation with standards promulgated by the Office of

1 Management and Enterprise Services, and may make such expenditures  
2 within the appropriation therefor, or from such other available  
3 funds as may be necessary to carry out the purposes of the Oklahoma  
4 Emergency Management Act of 2003 and other programs specified by  
5 law.

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

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

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

16 2. Coordinate the activities of all organizations for emergency  
17 management within the state;

18 3. Maintain liaison with and cooperate with the emergency  
19 management agencies and organizations of other states and of the  
20 federal government;

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

23 5. Implement the Oklahoma Hazard Mitigation Program;

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

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

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

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

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

15           The provisions of this section shall be operative only during  
16 the existence of a natural or man-made emergency. The existence of  
17 such emergency may be proclaimed by the Governor or by concurrent  
18 resolution of the Legislature if the Governor in such proclamation,  
19 or the Legislature in such resolution, finds that an emergency or  
20 disaster has occurred or is anticipated in the immediate future.

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

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

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

22 3. To provide for the evacuation of all or part of the  
23 population from any stricken or threatened area or areas within this  
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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 for willful failure to obey any  
6 order, rule or regulation adopted pursuant to this act. Such  
7 removal shall be upon charges after service upon such person of a  
8 copy of such charges and after giving such person an opportunity to  
9 be heard in the defense of such person. Pending the preparation and  
10 disposition of charges, the Governor may suspend such person for a  
11 period not exceeding thirty (30) days. A vacancy resulting from  
12 removal or suspension pursuant to this section shall be filled by  
13 the Governor until it is filled as otherwise provided by law.

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

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