

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 SENATE BILL NO. 1091

By: Weaver of the Senate

4 and

5 Blair of the House

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7  
8 An Act relating to dual office-holding; amending 51  
9 O.S. 2021, Section 6, which relates to exemptions;  
10 adding exemption for law enforcement officers serving  
11 in certain offices; and providing an effective date.

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

14 SECTION 1. AMENDATORY 51 O.S. 2021, Section 6, is  
15 amended to read as follows:

16 Section 6. A. Except as may be otherwise provided, no person  
17 holding an office under the laws of the state and no deputy of any  
18 officer so holding any office shall, during the person's term of  
19 office, hold any other office or be the deputy of any officer  
20 holding any office, under the laws of the state. The provisions of  
21 this section shall not apply to:

- 22 1. Notaries public;
- 23 2. Members of the State Textbook Committee;
- 24 3. County free fair board members;

1           4. Municipal and county law enforcement officers serving in  
2 positions as law enforcement officers of both such governmental  
3 entities upon such terms and conditions as are mutually approved by  
4 resolutions adopted by the board of county commissioners and  
5 governing body of the municipality employing such officers;

6           5. Any person holding a county or municipal office or position,  
7 or membership on any public trust authority, who is a member of a  
8 board or commission that relates to federal, state, county or  
9 municipal government and is created by the United States government,  
10 the State of Oklahoma or a political subdivision of the state,  
11 except where the duties of the offices or positions conflict;

12           6. Any elected municipal officers and school board members who  
13 are appointed to a state board, commission, or similar entity if  
14 there is no compensation for such services other than reimbursement  
15 for necessary travel expenses pursuant to the provisions of the  
16 State Travel Reimbursement Act;

17           7. Any trustee of a public trust, who is appointed as a trustee  
18 of a different public trust or any trustee of the Tulsa County  
19 Public Facilities Authority who may also be employed by the  
20 Department of Transportation;

21           8. Law enforcement officers employed by municipal or county law  
22 enforcement departments or agencies, other than those law  
23 enforcement officers elected or appointed as sheriff, chief of  
24 police or some similar position in which they are the head of a

1 county or municipal law enforcement agency, who are elected to local  
2 boards of education; provided, the provisions of this paragraph  
3 shall not prohibit any law enforcement officer employed by a  
4 municipality having a population of ten thousand (10,000) or fewer  
5 people from serving as a member of a local board of education;

6 9. Any member of the Oklahoma Highway Patrol Division of the  
7 Department of Public Safety who is elected to a local board of  
8 education;

9 10. Any employee of the Oklahoma State Bureau of Investigation  
10 who is elected to a local board of education;

11 11. Any District Supervisor, Assistant District Supervisor,  
12 Team Supervisor, Parole Officer 1 or Parole Officer 2 of the  
13 Department of Corrections who is elected or appointed to a city  
14 council;

15 12. Any trustee or director of a rural electric cooperative, or  
16 port authority who is appointed or elected to a state, county or  
17 municipal board, commission or similar entity;

18 13. County employees who are elected as members of town or city  
19 councils;

20 14. Municipal, county, state or tribal law enforcement or peace  
21 officers operating under cross-deputization agreements with an  
22 Indian tribe or branch of the federal government;

23 15. Municipal or county law enforcement or peace officers  
24 serving in positions as campus police officers or campus public

1 safety officers pursuant to the provisions of the Oklahoma Campus  
2 Security Act, upon such terms and conditions as are mutually  
3 approved by resolution adopted by the governing body of the  
4 municipality or county and the governing board of the institution of  
5 higher education;

6 16. State law enforcement or peace officers serving in  
7 positions as campus police officers or campus public safety officers  
8 pursuant to the provisions of the Oklahoma Campus Security Act, upon  
9 such terms and conditions as are mutually approved by written  
10 agreement between the Commissioner of Public Safety and the  
11 governing board of the institution of higher education;

12 17. Municipal, county and state law enforcement officers  
13 serving in positions as part-time or seasonal rangers or peace  
14 officers under the Oklahoma Tourism and Recreation Department or the  
15 Grand River Dam Authority;

16 18. Members of the University Hospitals Authority;

17 19. Any person holding a state or county office or position who  
18 is a reserve force deputy sheriff, or a reserve special agent with  
19 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control  
20 or a reserve municipal police officer;

21 20. Any person holding a state office or position who serves as  
22 a special assistant district attorney without compensation;

23 21. Any elected or appointed member of a local school board who  
24 is a member of a municipal planning commission;

1        22. Any elected or appointed member of a local school board who  
2 is a member or an officer of a volunteer fire department;

3        23. Directors or officers of a rural water district and chiefs  
4 of municipal fire departments or rural fire districts who are  
5 appointed or elected to an unsalaried office in a state, county,  
6 municipal, school, or technology center school board, commission, or  
7 similar entity, except where the duties of the office would create a  
8 conflict of interest;

9        24. Any person who is a dispatcher or confinement officer at a  
10 municipal or county jail who is a noncompensated reserve municipal  
11 police officer or a reserve deputy sheriff;

12        25. Any person who is an assistant district attorney serving as  
13 a municipal judge or prosecutor;

14        26. Any park ranger under the Oklahoma Tourism and Recreation  
15 Department or any game warden or reserve game warden employed by the  
16 Department of Wildlife Conservation who is elected or appointed to a  
17 local board of education or to a municipal governing body, board,  
18 commission or similar entity;

19        27. Members of the Oklahoma State University Medical Center  
20 Authority, the Oklahoma State University Medical Trust or the State  
21 Board of Osteopathic Examiners;

22        28. Any member of the state Legislature or any state officer  
23 who serves on the board of trustees of the Oklahoma School for the  
24 Visual and Performing Arts;

1 29. Members of the Council on Judicial Complaints;

2 30. Any law enforcement officer, including a campus police  
3 officer, who is elected as a member of the governing board of a  
4 town, municipality, or county that is outside of the town,  
5 municipality, or county where the person serves as a law enforcement  
6 officer; and

7 ~~30.~~ 31. Any person who is a state employee but not a member of  
8 the state military forces, including district attorneys, assistant  
9 district attorneys, district court judges, associate district court  
10 judges and special judges, when detailed as a military trial judge  
11 pursuant to Section 826 of Title 44 of the Oklahoma Statutes or when  
12 serving as an appellate military judge pursuant to Section 866 of  
13 Title 44 of the Oklahoma Statutes when the Military Court of Appeals  
14 is convened. The rules of procedure prescribed by the State Judge  
15 Advocate pursuant to subsection L of Section 866 of Title 44 of the  
16 Oklahoma Statutes shall define what constitutes the Military Court  
17 of Appeals being "convened" for purposes of this paragraph.

18 The provisions of this section shall not prohibit any person  
19 holding an office under the laws of the state or any deputy of any  
20 officer so holding any office from serving upon the board of  
21 Oklahoma Futures or upon the board of directors of the Oklahoma  
22 Center for the Advancement of Science and Technology. The  
23 provisions of this section shall not prohibit a member of the board

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1 of directors of the Oklahoma Center for the Advancement of Science  
2 and Technology from serving upon the board of Oklahoma Futures.

3 B. Except as provided in subsection C of this section,  
4 salaries, emoluments or benefits that would otherwise be paid by the  
5 agency or political subdivision to a loaned employee or officer  
6 shall instead be paid to the regular employer of such employee. The  
7 loaned employee shall in turn be paid regular salary and benefits  
8 the same as if continuing regular employment with the permanent  
9 employer.

10 C. Any person excepted pursuant to paragraph 30 of subsection A  
11 of this section, when retained as a military trial judge or when  
12 serving as a military appellate judge when the Military Court of  
13 Appeals is convened, shall be entitled to military judicial leave in  
14 accordance with Section 209 of Title 44 of the Oklahoma Statutes.

15 SECTION 2. This act shall become effective November 1, 2025.

16 COMMITTEE REPORT BY: COMMITTEE ON LOCAL AND COUNTY GOVERNMENT  
17 February 11, 2025 - DO PASS

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