

BILL SUMMARY

1st Session of the 60th Legislature

Bill No.:	HB 2118
Version:	FULLPCS2
Request Number:	13153
Author:	Rep. Kannady
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Impact:	\$0

Research Analysis

The second proposed committee substitute for HB 2118 adds the "Oklahoma National Guard CareerTech Assistance Act," which creates a program to provide assistance to eligible Guard members who enroll in a technology center school. Guard members must follow certain criteria to be eligible for the program and retain their eligibility. Every July 1, the State Board of Career and Technology Education will notify the Adjutant General of the funding available in the program's revolving fund. The State Board of Career and Technology Education will promulgate rules to implement the provisions of the act. The Adjutant General may permit a qualifying member entitled to education assistance to transfer their entitlement to the assistance to one or more eligible dependents. The measure also creates the "Oklahoma National Guard CareerTech Assistance Revolving Fund."

HB 2118 amends changes to the duties of the Adjutant General and also cleans up language relating to the militia.

The measure also does the following:

- provides that the Adjutant General will be compensated at the same rate of pay afforded to a Major General regardless if they have been federally recognized at this rank;
- gives the Adjutant General the authority to arm members of the state military forces on military installations and other places under control of the Military Department with weaponry;
- allows the Adjutant General to establish rules allowing the Military Department to accept donations and bequests to create a program for the benefit of the Oklahoma National Guard;
- provides that the Adjutant General serves as the chief of all fire protection units under the Department;
- provides that the Adjutant General will serve as the chief of all police units and officer appointed under the Department;
- exempts federal programs managed by the Department from all Information Services Division requirements;
- requires a member to provide a response within 45 calendar days after notification of intent to impose judicial punishment;
- provides that no member of the Oklahoma National Guard will be reduced in rank except when the rank reduction results from nonjudicial punishment;
- provides that nobody serving in active duty or any federal official can convene a court-martial proceeding unless prior consent has been granted by the Governor;
- provides for the Governor to reappoint a former officer;
- requires the Governor or Adjutant General to prescribe regulations governing eligibility for pay and allowances for the period after the date on which an executed part of a court-martial sentence is set aside;

- adds forgery as a crime that will be punished as a court-martial may direct;
- provides that it will be unlawful for any member of the state military forces to knowingly use or ingest marijuana or any products derived thereof;
- adds committing domestic violence against a spouse, intimate partner, or an immediate family member of that person as punishment that will be punished as a court-martial may direct;
- provides that articles must be explained within 90 days of re-enlistment;
- provides that the co-located readiness and joint operating center facilities constructed by or on behalf of the Military Department be named the "Benjamin T. Walkingstick National Guard Complex";
- provides a Manual for Courts-Martial; and
- repeals [44 O.S. 2021, Section 940b.](#)

Prepared By: Suzie Nahach, House Research Staff

Fiscal Analysis

The proposed oversight committee substitute to HB 2118 does not materially alter the prior fiscal impact statement. The measure does not mandate any action or expenditure by a state agency, and any indirect costs associated with implementation of the measure are anticipated to be absorbed by existing agency resources. Therefore, the measure is not anticipated to have a direct fiscal impact on the state budget or appropriations.

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Other Considerations

None.