

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 1091

By: Weaver

6 AS INTRODUCED

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

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

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

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

- 19 1. Notaries public;
- 20 2. Members of the State Textbook Committee;
- 21 3. County free fair board members;
- 22 4. Municipal and county law enforcement officers serving in  
23 positions as law enforcement officers of both such governmental

1 entities upon such terms and conditions as are mutually approved by  
2 resolutions adopted by the board of county commissioners and  
3 governing body of the municipality employing such officers;

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

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

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

19      8. Law enforcement officers employed by municipal or county law  
20 enforcement departments or agencies, other than those law  
21 enforcement officers elected or appointed as sheriff, chief of  
22 police or some similar position in which they are the head of a  
23 county or municipal law enforcement agency, who are elected to local  
24 boards of education; provided, the provisions of this paragraph

1 shall not prohibit any law enforcement officer employed by a  
2 municipality having a population of ten thousand (10,000) or fewer  
3 people from serving as a member of a local board of education;

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

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

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

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

16       13. County employees who are elected as members of town or city  
17 councils;

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

21       15. Municipal or county law enforcement or peace officers  
22 serving in positions as campus police officers or campus public  
23 safety officers pursuant to the provisions of the Oklahoma Campus  
24 Security Act, upon such terms and conditions as are mutually

1 approved by resolution adopted by the governing body of the  
2 municipality or county and the governing board of the institution of  
3 higher education;

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

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

14      18. Members of the University Hospitals Authority;

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

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

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

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

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

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

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

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

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

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

23      29. Members of the Council on Judicial Complaints;

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

6       30. 31. Any person who is a state employee but not a member of  
7       the state military forces, including district attorneys, assistant  
8       district attorneys, district court judges, associate district court  
9       judges and special judges, when detailed as a military trial judge  
10      pursuant to Section 826 of Title 44 of the Oklahoma Statutes or when  
11      serving as an appellate military judge pursuant to Section 866 of  
12      Title 44 of the Oklahoma Statutes when the Military Court of Appeals  
13      is convened. The rules of procedure prescribed by the State Judge  
14      Advocate pursuant to subsection L of Section 866 of Title 44 of the  
15      Oklahoma Statutes shall define what constitutes the Military Court  
16      of Appeals being "convened" for purposes of this paragraph.

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

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

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

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