

OKLAHOMA STATUTES
TITLE 72. SOLDIERS AND SAILORS

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There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Veterans Affairs to be designated the "Oklahoma Veteran Housing Program Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Department of Veterans Affairs in the form of donations, appropriations or other monies for such fund. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of providing grants to eligible veterans as provided by law. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.....	72
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A. Subject to the availability of funds, the Oklahoma Department of Veterans Affairs shall develop a special housing grant program, not to exceed Five Thousand Dollars (\$5,000.00) per veteran, for the purpose of bearing the costs not borne by the federal government for a specifically designed home for disabled veterans. To qualify for a special housing grant, all of the following shall be met:	72
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§72-1. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-2. "Ex-service person", "veteran", and "war veteran" defined.

The words "ex-service person", "veteran", or "war veteran" used in this act shall be construed to mean any person who:

1. Has served the full obligation for active duty, Reserve or National Guard service in the military, or received an early discharge for a medical condition, hardship or reduction in force; and

2. Has been separated or discharged from such service honorably or under honorable conditions.

Added by Laws 1923, c. 136, p. 226, § 2, emerg. eff. Feb. 8, 1923.

Amended by Laws 1927, c. 75, p. 114, § 2, emerg. eff. March 30, 1927; Laws 1943, p. 231, § 1, emerg. eff. April 3, 1943; Laws 2013, c. 233, § 1, eff. Nov. 1, 2013; Laws 2014, c. 213, § 1, eff. Nov. 1, 2014; Laws 2017, c. 89, § 1, eff. Nov. 1, 2017.

§72-3. Repealed by Laws 2015, c. 215, § 1.

§72-4. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-5. Veterans to whom provisions available.

The provisions of this act shall be available to any disabled person who served during World War II, or any State of National Emergency as declared by the President of the United States, in the military or naval forces of any nation allied or associated with the United States, provided that the person was at the time of enlisting in the military or naval forces a citizen of the United States and is a citizen of the United States at the time he or she applies for the benefit of this act.

Added by Laws 1923, c. 136, p. 227, § 4, emerg. eff. Feb. 8, 1923.

Amended by Laws 1927, c. 75, p. 114, § 5, emerg. eff. March 30, 1927; Laws 1943, p. 232, § 3, emerg. eff. April 3, 1943; Laws 1951, p. 247, § 1, emerg. eff. May 16, 1951; Laws 2013, c. 233, § 2, eff. Nov. 1, 2013.

§72-6. Nontransferability of privileges - Penalty.

The privileges granted by this act shall not be assignable or transferable to or used by any other person or persons except those persons to whom certificates have been issued as herein provided. Any person who violates any provision of this act shall be guilty of

a misdemeanor and shall, upon conviction, be fined not less than Twenty Dollars (\$20.00) nor more than Two Hundred Dollars (\$200.00). Laws 1923, c. 136, p. 227, § 5, emerg. eff. Feb. 8, 1923; Laws 1927, c. 75, p. 115, § 6, emerg. eff. March 30, 1927; Laws 1959, p. 349, § 2, emerg. eff. April 15, 1959.

§72-6-1. Impersonating member or veteran of the United States Armed Forces - Punishment.

A. Any person who knowingly with intent to impersonate and with intent to deceive, misrepresents himself or herself as a member or veteran of the United States Armed Forces by wearing any decoration or medal authorized by the Congress of the United States for the Armed Forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations as authorized by the applicable federal law, shall be guilty of a misdemeanor and shall be fined One Thousand Dollars (\$1,000.00) or be imprisoned in the county jail for a period of not more than six (6) months or both.

B. If a decoration or medal involved in an offense under subsection A of this section is a Congressional Medal of Honor, the offender shall upon conviction be guilty of a felony and fined an amount not to exceed Five Thousand Dollars (\$5,000.00) or be imprisoned in the county jail for a period of not more than one (1) year, or both.

C. If a person presents any falsified or altered document as proof of service or authorization for decoration or medal, such person shall be guilty of a felony and fined an amount not to exceed Five Thousand Dollars (\$5,000.00) or be imprisoned in the county jail for a period of not more than one (1) year.

Added by Laws 2005, c. 360, § 1, eff. Nov. 1, 2005. Amended by Laws 2016, c. 188, § 1, eff. Nov. 1, 2016.

§72-6-2. Wearing uniform of the United States Armed Forces or Public Health Service - Punishment.

Whoever, in any place within the jurisdiction of the State of Oklahoma, without authority as defined in the United States Code, wears the uniform or any distinctive part thereof or anything similar to a distinctive part of the uniform of any of the Armed Forces of the United States, Public Health Service or any auxiliary of such, with the intent to deceive by impersonating a member of the Armed Forces or a veteran, shall be guilty of a misdemeanor and fined an amount not to exceed One Thousand Dollars (\$1,000.00) or be imprisoned in the county jail for a period of not more than one (1) year or both.

Added by Laws 2005, c. 360, § 2, eff. Nov. 1, 2005.

§72-6-3. Manufacture, reproduction, or sale of objects related to certain Veterans' organizations - Punishment.

A. Whoever knowingly manufactures, reproduces, sells or purchases for resale, either separately or on or appended to, any article of merchandise manufactured or sold, any badge, medal, emblem, or other insignia or any colorable imitation thereof, of any veterans' organization incorporated by enactment of the Congress of the United States, or of any organization formally recognized by any such veterans' organization as an auxiliary of such veterans' organization, or knowingly prints, lithographs, engraves or otherwise reproduces on any poster, circular, periodical, magazine, newspaper, or other publication, or circulates or distributes any such printed matter bearing a reproduction of such badge, medal, emblem, or other insignia or any colorable imitation thereof, except when authorized under rules and regulations prescribed by any such organization, shall be guilty of a misdemeanor and fined an amount not to exceed Five Hundred Dollars (\$500.00) or be imprisoned in the county jail for a period of not more than one (1) year or both.

B. As used in subsection A of this section, "sells" includes trades, barters, or exchanges anything of value.

Added by Laws 2005, c. 360, § 3, eff. Nov. 1, 2005.

§72-7. State-operated parks and museum admission.

A. All honorably discharged veterans who are currently Oklahoma residents shall be allowed free admission to all state-owned or state-operated parks and museums. A valid Oklahoma driver license or state photo identification card and military discharge papers (DD Form 214) or similar evidence of an honorable discharge from the United States Armed Forces shall be required for free admission.

B. A valid Oklahoma driver license or identification card issued by the Department of Public Safety with a flag emblem and the word "veteran" in the upper left-hand corner of the front of the driver license or identification card shall be sufficient for free admission to all state-owned and state-operated parks and museums.

Added by Laws 2008, c. 363, § 1, eff. Nov. 1, 2008. Amended by Laws 2014, c. 86, § 1, eff. Nov. 1, 2014.

§72-21. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-22. Duties of county clerk - Violation a misdemeanor.

All recording of said discharges shall be done by the clerical force in the county clerk's office, without charge and shall also furnish certified copies of said discharges without charge, and any clerk or other person who makes any charge for such service shall be guilty of a misdemeanor.

Laws 1919, c. 94, p. 147, § 2, emerg. eff. April 2, 1919.

§72-23. Copies of records - Court clerks - Judges of the district courts - Registrar of vital statistics.

The court clerks and judges of the district courts of the several counties of this state, and the Registrar of the Bureau of Vital Statistics of this state, when requested so to do by any member of the armed forces of the United States, those serving during World War II, or by their dependents or by any person in behalf of such enlisted members or their dependents, or by any honorably discharged person who served in any branch of the military or naval forces of the United States during any war in which the United States participated as a belligerent, or by the dependents of such honorably discharged persons, or by any person in their behalf, or by the Commissioner of Pensions of the United States, or by the Director of the United States Veterans' Bureau, or Regional Manager of any Regional office of the United States Veterans' Bureau, shall furnish, without charge or fee therefor, duly certified copies of any decree of divorce, marriage license, certificate of marriage, birth certificate, certificate of death, order appointing administrator or guardian, letters of administration or guardianship, bond of administrator or guardian, order discharging administrator or guardian, or other judgment, decree or document required by law or by any rule or regulation of the Bureau of Pensions or the United States Veterans' Bureau to be furnished as evidence to establish a claim on behalf of those persons enumerated above, for issuance of a birth certificate, pension, compensation, family allowance, bonus, or other money or moneys claimed to be due and payable by or through said Bureau of Pensions or United States Veterans' Bureau. Laws 1927, c. 20, p. 20, § 1, emerg. eff. April 6, 1927; Laws 1943, p. 232, § 1, emerg. eff. March 30, 1943.

§72-31. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-31a. State Veterans' Cemetery System.

A. The Department of Veterans Affairs is authorized to construct, establish, administer, operate and maintain a State Veterans' Cemetery System. The State Veterans' Cemetery System shall consist of one or more cemeteries to serve veterans, spouses and eligible dependents of veterans of the State of Oklahoma.

B. The Department may:

1. Employ staff to operate the cemetery system;
2. Purchase equipment and supplies necessary for the operation and support of the cemetery system; and
3. Charge a fee for each interment of an eligible spouse or dependent of a veteran.

C. The Department shall:

1. Promulgate appropriate guidelines, rules, or regulations for determining eligibility for burial, instituting standards for the cemeteries, and setting burial charges to be assessed for the burial of spouses and eligible dependents;

2. Develop plans and programs which will provide for initial establishment of sites to meet the greatest need and provide for their orderly expansion;

3. Establish accounts as are necessary to the orderly administration of the cemetery system;

4. Make applications to federal agencies such as the United States Department of Veterans Affairs and receive federal funding as is available to establish, construct, operate and maintain this cemetery system; and

5. Accept donations of real or personal property for the construction, establishment, operation and maintenance of the State Veterans' Cemetery System.

D. The Department may seek, accept and expend private, state and federal funds for the establishment, construction, maintenance, administration and operation of the cemetery system as provided in this section. The Department may accept land, on behalf of the state, or may utilize land owned by the Department for the establishment of a veterans' cemetery.

Added by Laws 2017, c. , § , eff. Nov. 1, 2017. Amended by Laws 2017, c. 227, § 1, eff. Nov. 1, 2017.

§72-32. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-33. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-34. Interment or cremation assistance for indigent veterans.

A. The Oklahoma Department of Veterans Affairs shall establish a program to provide assistance for the proper interment or cremation of honorably discharged indigent veterans of the United States Armed Forces. The program shall aid in obtaining any available burial benefits from the United States Department of Veterans Affairs or through private organizations. The program shall provide for a burial grant for any indigent veteran or any person who qualifies for reimbursement as determined by the Oklahoma Department of Veterans Affairs, for unpaid expenses directly resulting from interment or cremation. Maximum reimbursement shall not exceed One Thousand Dollars (\$1,000.00) per indigent veteran application.

B. Eligibility requirements for the program shall be as follows:

1. The deceased shall be a veteran as defined by Section 2 of this title;

2. No one shall have claimed the remains of the deceased Veteran;

3. The veteran shall have died in Oklahoma;

4. The veteran shall not have been in the custody of the Department of Corrections at the time of death;

5. The applicant shall provide documentation establishing the burial location of the deceased veteran's remains in a cemetery or the location where the deceased veteran's cremains have been permanently placed; and

6. The applicant shall provide documentation establishing that the deceased veteran received a proper memorial headstone or marker at the place of his or her interment as provided for in Section 2306 of Title 38 of the United States Code or that a memorial headstone or marker meeting the same physical standards for size, material, composition, placement and informational content was provided in the event the deceased veteran did not qualify under the provisions of Section 2306 of Title 38 of the United States Code.

C. The Executive Director of the Oklahoma Department of Veterans Affairs or his or her designee shall make final approval of Indigent Veteran Burial Applications, shall determine whether the deceased meets eligibility criteria and may approve funds to reimburse the costs of interment or cremation.

D. Reimbursement shall be paid from the Indigent Veteran Burial Revolving Fund. If there are insufficient resources in the Indigent Veteran Burial Revolving Fund, payment shall be made from the Oklahoma Department of Veterans Affairs Revolving Fund.

Once funds are available in the Indigent Veteran Burial Revolving Fund, the Oklahoma Department of Veterans Affairs may be reimbursed for payments made from the Oklahoma Department of Veterans Affairs Revolving Fund.

E. Application processes for the implementation of this program shall be developed by the Oklahoma Department of Veterans Affairs.

F. Rules for the implementation of this program shall be promulgated by the Oklahoma Veterans Commission.

Added by Laws 2016, c. 394, § 1, eff. Jan. 1, 2017. Amended by Laws 2019, c. 165, § 1, eff. Nov. 1, 2019.

§72-41. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-46. Repealed by Laws 1991, c. 13, § 4, emerg. eff. March 25, 1991.

§72-47. Private employment - Restoration to position or employment at expiration of military service.

If a person was in the employment of any private employer, firm, company, partnership or corporation, it is hereby declared to be the sense of the Legislature that such person, upon the expiration of the person's period of active duty in the military service of the United States, be restored to the position or employment in which the person was engaged at the time of being ordered into the active military

service of the United States pursuant to the provisions of the federal Uniformed Services Employment and Reemployment Rights Act of 1994, Title 38, Chapter 43 of the United States Code. Added by Laws 1941, p. 438, § 2, emerg. eff. May 12, 1941. Amended by Laws 2002, c. 396, § 2, emerg. eff. June 5, 2002.

§72-48. Leave of absence during active or inactive duty or service - Public employees.

All officers and employees of the state or a political subdivision thereof who are members, either officers or enlisted, of the National Guard or any branch of the United States Military or its reserve components, shall, when ordered by the proper authority to active or inactive duty or service, be entitled to a leave of absence from such civilian employment for the period of such service without loss of status or seniority. During the first thirty (30) calendar days for employees of political subdivisions or the first thirty (30) regularly scheduled work days for state employees, or not to exceed two hundred forty (240) hours, of such leave of absence in any federal fiscal year, the officers or employees shall receive their full regular pay from the employing state agency or political subdivision. During the remainder of such leave of absence in any federal fiscal year, the employing state agency or political subdivision may elect to pay the officer or employee an amount equal to the difference between their full regular pay from the employing state agency or political subdivision and their military pay, except that state officers and employees shall receive the difference between their full regular pay and their Reserve Components pay when they are ordered by proper authority to active or inactive service retroactive to the date that the officer or employee reported to active service on or after September 11, 2001, during the period that Operation Enduring Freedom is in effect, or any subsequent contingency operation declared by the Secretary of Defense. The durational limit of protected military service as provided for in this section shall not be less than that provided by federal law. If it is necessary in the public interest to provide for the performance of the duties of their positions during such absence, the authority having power to fill a vacancy in the positions may appoint substitutes, to be known as acting incumbents, who shall qualify as required for the regular incumbents and shall receive the same pay, including benefits and pay adjustments as fixed by law, if any, or otherwise such pay, including benefits and pay adjustments, as may be fixed by proper authority.

The Office of Management and Enterprise Services shall promulgate rules as necessary to implement the provisions of this section that relate to state employees.

Added by Laws 1947, p. 302, § 1, emerg. eff. May 16, 1947. Amended by Laws 1973, c. 275, § 2, emerg. eff. May 30, 1973; Laws 1988, c.

31, § 2, eff. Oct. 1, 1988; Laws 1991, c. 13, § 3, emerg. eff. March 25, 1991; Laws 1991, c. 232, § 6, emerg. eff. May 24, 1991; Laws 1992, c. 164, § 1, emerg. eff. May 5, 1992; Laws 1994, c. 94, § 3, eff. July 1, 1994; Laws 2002, c. 396, § 3, emerg. eff. June 5, 2002; Laws 2003, c. 212, § 5, eff. July 1, 2003; Laws 2006, c. 179, § 1, emerg. eff. May 23, 2006; Laws 2012, c. 304, § 645; Laws 2017, c. 80, § 2, eff. Nov. 1, 2017.

§72-48.1. Leave of absence during active service - Private sector employees.

All officers and employees of any employer in the private sector, who are members, either officers or enlisted, of the Reserve Components, to include the Army and Air National Guard and the Army, Navy, Air Force, Marine Corps, and Coast Guard Reserves, or any other component of the Armed Forces of the United States, shall, when ordered by the proper authority to active or inactive duty or service, be entitled to a leave of absence from such private civilian employment for the period of such service without loss of status or seniority. During such leave of absence in any federal fiscal year, the employer in the private sector may elect to pay the officer or employee an amount equal to the difference between his full regular pay from the employer in the private sector and his military pay. The durational limit of protected military service as provided for in this section shall not be less than that provided by federal law.

If any employer in the private sector fails to comply with the provisions of this section, the officer or employee may bring an action in district court for actual and compensatory damages for such noncompliance and may be granted such relief as is just and proper under the circumstances.

Added by Laws 1994, c. 94, § 4, eff. July 1, 1994.

§72-48.2. See the following versions:

OS 72-48.2v1 (SB 1465, Laws 2016, c. 103, § 1).

OS 72-48.2v2 (HB 2488, Laws 2016, c. 191, § 1).

§72-49. Repealed by Laws 1947, p. 578, § 2, emerg. eff. May 16, 1947.

§72-49.1. Removal of disability of minority.

The disability of minority of any person otherwise eligible for guaranty of a loan pursuant to the "Servicemen's Readjustment Act of 1944", 78th Congress, as amended, and of the spouse of such person, is hereby removed for the purposes of enabling such persons to enter into valid contracts for the acquiring or encumbering, or selling and conveying property and the incurring of indebtedness or obligations incident to either or both, or the refinancing thereof, and litigating or settling controversies arising therefrom, if all or

part of the obligations or indebtedness incident to such transaction are or ultimately may be guaranteed by the administrator of veteran's affairs pursuant to such act and an application signed by such minor; and for the purpose of entering into any contract with the State of Oklahoma or any political subdivision thereof or municipal corporation therein, or the United States Government or any agency thereof; provided nevertheless, that this section shall not be construed to impose any other or greater rights or liabilities than would exist if such person and such spouse were each at least eighteen (18) years of age.

Laws 1947, p. 578, § 1, emerg. eff. May 16, 1947; Laws 1972, c. 221, § 8, eff. Aug. 1, 1972.

§72-50.1. Powers of military officers.

For the purposes as set forth in this act, military officers, as designated herein, shall have the same power and authority to administer oaths and affirmations, and take depositions, affidavits and acknowledgments of persons in the military, naval, or other armed services of the United States, as officers now authorized by the laws of this state for like purposes.

Laws 1944, Ex. Sess., p. 22, § 1, emerg. eff. April 24, 1944.

§72-50.2. Rank of officer - Spouse's acknowledgment - Authentication - Acknowledgment before notary.

The deed of any person, for the conveyance of real estate within this state, or for any other purpose, powers of attorneys, and other instruments requiring acknowledgments or the taking and subscribing of oaths, may, if such person is engaged in the military service of the United States, be acknowledged before any officer in said service of the rank of Sergeant or higher, and, if such person is engaged in the naval service of the United States, before any officer of the rank of Petty Officer or higher, and, if such person is engaged in any other armed service of the United States, before any officer of a rank corresponding to those mentioned above; and such deeds, powers of attorneys, and other instruments so acknowledged shall be accepted and recorded in this state in the same manner as if taken before any officer now authorized by the laws of this state to take such acknowledgments. Provided further, that if the acknowledgment of any person herein be of such a nature as to require a joint or separate acknowledgment of his or her spouse, the officers designated herein shall have power to take the acknowledgment of such spouse, and instruments upon which such acknowledgments appear shall be entitled to recording under the laws of this state. No authentication of an officer's certificate of acknowledgment shall be required, but the officer taking the acknowledgment or subscription shall sign his name and set forth his rank or title and branch of service, and such statement by said officer as to his rank, title and branch of

service, and his home address, shall be prima facie evidence thereof. Nothing herein shall be construed as preventing any person named herein from acknowledging instruments before a notary public or other officer of this or any other state or foreign country whose acknowledgments are recognized for the purpose of recording under the laws of this state.

Laws 1944, Ex. Sess., p. 22, § 2, emerg. eff. April 24, 1944.

§72-50.3. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-50.4. Repealed by Laws 1989, c. 154, § 2, operative July 1, 1989.

§72-50.11. Repealed by Laws 2013, c. 233, § 5, eff. Nov. 1, 2013.

§72-50.21. Qualifications of recipients.

Any person having the following qualifications is hereby authorized to apply for, receive, and display a certain badge or medal, to be known as "The Oklahoma Cross of Valor":

(1) Was a resident of Oklahoma at the time of entering the military service of the United States;

(2) The military service referred to in (1) above, was performed during either World War II, the Korean Conflict or the Republic of Vietnam Conflict, or during any period of time in which the United States participated in a war, campaign or battle;

(3) Was made and officially listed as captive by the enemy during the service mentioned in (2) above; and

(4) Was honorably discharged from the military service.

Laws 1953, p. 401, § 1, emerg. eff. May 12, 1953; Laws 1973, c. 120, § 1, emerg. eff. May 4, 1973; Laws 1991, c. 205, § 1, emerg. eff. May 17, 1991.

§72-50.22. Procedure for applications and approval.

The Governor shall fix the procedure in applying for and issuing of the medal; the Governor shall fix the manner and method of approving applications or recommendations for the award.

Added by Laws 1953, p. 401, § 2, emerg. eff. May 12, 1953. Amended by Laws 2013, c. 233, § 3, eff. Nov. 1, 2013.

§72-50.23. Design - Payment of cost.

The Governor shall fix, or cause to be fixed, the character and design of the medal herein referred to; provided any such design shall include the words stamped or raised thereon, "Oklahoma Cross of Valor"; provided further, the Governor is hereby authorized to expend, from the Governor's contingency fund, any monies for the cost of said medals or badges.

Laws 1953, p. 401, § 3, emerg. eff. May 12, 1953.

§72-50.24. Korean Conflict Medallion Program.

A. There is hereby created the "Korean Conflict Medallion Program".

B. The Oklahoma Korean Conflict Medallion award shall consist of a medallion, medal, and certificate of appreciation. A veteran shall be eligible for the award if the veteran:

1. Was a resident of Oklahoma at the time of entering the military service of the United States;

2. Served in active duty in the United States Military at any time beginning June 27, 1950, through January 31, 1955; and

3. Was honorably separated or discharged from military service, still in active service in an honorable status, or was in active service at the time of his or her death.

C. The Oklahoma Korean Conflict Medallion award shall be awarded regardless of whether or not such veteran served within the United States or in a foreign country. The award shall be awarded regardless of whether or not such veteran was under eighteen (18) years of age at the time of enlistment. For purposes of this section, "veteran" means any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

D. The Oklahoma Department of Veterans Affairs shall administer the Korean Conflict Medallion Program and set the procedures for awarding the medallion, medal and certificate.

E. In order to create statewide involvement in the design of the award in recognition of this historic endeavor, the Governor shall solicit potential designs from elementary and secondary schools, veterans' groups, and any other interested parties, provided any such design shall include the words "Oklahoma Korean Conflict Medallion". The Oklahoma Department of Veterans Affairs is authorized to expend any monies appropriated to the Oklahoma Department of Veterans Affairs for the cost of such medals, medallions and certificates, subject to the availability of the funds.

Added by Laws 2004, c. 473, § 1, eff. July 1, 2004.

§72-50.25. Oklahoma Legislative Medal of Honor.

A. The Oklahoma Legislative Medal of Honor shall be awarded to a member of the state or federal military forces designated by concurrent resolution of the Legislature who voluntarily performs a deed of personal bravery or self-sacrifice involving risk of life that is so conspicuous as to clearly distinguish the person for gallantry and intrepidity above the person's comrades. The medal shall be awarded based on the standard of extraordinary merit. The medal shall be awarded only on incontestable proof of performance of the deed. To be eligible for the Oklahoma Legislative Medal of Honor, a person shall:

1. Have been born in this state;

2. Reside in this state or have been a resident of this state on the person's death; or

3. Have been a resident of this state when the person entered military service.

B. A person is not ineligible for the Oklahoma Legislative Medal of Honor because the person has received any other medal or award for military service, including a medal or award made by the United States.

C. To receive the Oklahoma Legislative Medal of Honor, a person shall be nominated during a regular session of the Legislature by majority vote of all the members of a nominating committee consisting of:

1. The Adjutant General or the Adjutant General's designated representative;

2. The Lieutenant Governor or the Lieutenant Governor's designated representative;

3. The Speaker of the House of Representatives or the Speaker's designated representative;

4. The President Pro Tempore of the Senate or the President Pro Tempore's designated representative;

5. The chair of the standing committee of each house of the Legislature with primary jurisdiction over military and veteran affairs; and

6. The Oklahoma Director of the Department of Veterans Affairs.

D. The Department of Veterans Affairs shall design the medallion and ribbon for the Oklahoma Legislative Medal of Honor.

E. The Legislature by concurrent resolution may direct the Governor to award the Oklahoma Legislative Medal of Honor to a person nominated by the nominating committee. The committee chairs serving on the nominating committee shall jointly prepare a concurrent resolution directing the Governor to award the medal to a person nominated. The Legislature shall direct the medal to be awarded only during a regular session and shall not direct the medal to be awarded to more than one person during a regular session.

Added by Laws 2008, c. 68, § 1, eff. Nov. 1, 2008.

§72-50.26. Oklahoma Gold Star Medal.

A. The Oklahoma Gold Star Medal shall be awarded to a member of the state or federal military forces who voluntarily performed a deed of personal bravery or self-sacrifice during combat after September 11, 2001, that resulted in his or her loss of life.

B. The Oklahoma Gold Star Medal shall be awarded based on the standard of extraordinary merit. The medal shall be awarded only on incontestable proof.

C. To be eligible for the Oklahoma Gold Star Medal, a person shall have been:

1. Born in this state, a resident of this state on the person's death, or a resident of this state when the person entered military service; and

2. Killed in the line of duty in a combat zone or died of wounds inflicted in a combat zone.

D. A person shall not be ineligible for the Oklahoma Gold Star Medal because the person received any other medal or award for military service, including a medal or award made by the United States.

E. To receive the Oklahoma Gold Star Medal, a person shall be nominated by a member of the Oklahoma Legislature and approved by the Adjutant General.

F. Pursuant to Section 192 of Title 44 of the Oklahoma Statutes, the Adjutant General shall design the medallion and ribbon for the Oklahoma Gold Star Medal and shall be responsible for awarding the medal to persons who have been approved by the Adjutant General pursuant to subsection E of this section.

Added by Laws 2012, c. 272, § 1, eff. Nov. 1, 2012.

§72-50.31. Repealed by Laws 1968, c. 102, § 2, eff. April 1, 1968.

§72-50.41. Repealed by Laws 1975, c. 7, § 1, emerg. eff. Feb. 7, 1975.

§72-50.42. Repealed by Laws 1975, c. 7, § 1, emerg. eff. Feb. 7, 1975.

§72-51. Repealed by Laws 1947, p. 580, § 4.

§72-52. Repealed by Laws 1947, p. 580, § 4.

§72-53. Repealed by Laws 1947, p. 580, § 4.

§72-53.1. Repealed by Laws 1947, p. 580, § 4.

§72-54. Repealed by Laws 1953, p. 403, § 6, emerg. eff. Feb. 19, 1953; Laws 1955, p. 458, § 6, emerg. eff. May 6, 1955.

§72-54.1. Repealed by Laws 1979, c. 30, § 164, emerg. eff. April 6, 1979.

§72-54.2. Repealed by Laws 1979, c. 47, § 109, emerg. eff. April 9, 1979.

§72-55. Repealed by Laws 2015, c. 215, § 1.

§72-56. Repealed by Laws 2015, c. 215, § 1.

§72-57. Repealed by Laws 1961, p. 587, § 1.

§72-58. Repealed by Laws 1947, p. 580, § 4, emerg. eff. April 24, 1947.

§72-59. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-60. Repealed by Laws 1953, p. 403, § 6, emerg. eff. Feb. 19, 1953; Laws 1955, p. 458, § 6, emerg. eff. May 6, 1955.

§72-61.1. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-61.2. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-61.3. Repealed by Laws 1979, c. 30, § 164, emerg. eff. April 6, 1979.

§72-61.4. Repealed by Laws 1979, c. 47, § 109, emerg. eff. April 9, 1979.

§72-61.5. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-63.1. Commission and Department created - Cabinet-level status - Composition - Administration.

There is hereby created the Oklahoma Veterans Commission, and the Oklahoma Department of Veterans Affairs, which shall be a cabinet-level department pursuant to the provisions of Section 10.3 of Title 74 of the Oklahoma Statutes. The Department shall consist of a departmental headquarters and such Veterans Centers as are operated by the Department. The Department shall be administered under such rules, regulations and policies as may be prescribed by the Oklahoma Veterans Commission. Any reference in any law of this state referring to or naming the Soldiers Relief Commission shall be construed to refer to and name the Oklahoma Veterans Commission. Added by Laws 1947, p. 578, § 1, emerg. eff. April 24, 1947. Amended by Laws 1969, c. 184, § 1; Laws 1981, c. 169, § 1, emerg. eff. May 13, 1981; Laws 1989, c. 27, § 1, operative July 1, 1989; Laws 2014, c. 212, § 1, eff. Nov. 1, 2014; Laws 2014, c. 262, § 1, eff. Nov. 1, 2014.

§72-63.2. Members of Commission - Filing copy of audits by veterans' organizations.

The Oklahoma Veterans Commission shall consist of nine (9) members. At least eight (8) members shall be honorably discharged veterans; provided, three of the members shall be veterans of the Vietnam Conflict and one shall be a veteran of the Persian Gulf Wars. The members shall be selected in the following manner: The state executive board or committees of the veterans' organizations named in this section shall each submit to the Governor of Oklahoma a list of five (5) persons qualified to serve as members of the Oklahoma Veterans Commission. The list shall be submitted to the Governor not later than three (3) months prior to the expiration of the terms of office of the members of the Oklahoma Veterans Commission. The Governor shall name one member from each of the following Veterans' groups: the American Legion; the Veterans of Foreign Wars; the Disabled American Veterans; the Paralyzed Veterans of America; the Military Order of the Purple Heart; and the National Guard Association of Oklahoma. The members representing the American Legion and the Paralyzed Veterans of America shall take office no later than July 1, 2015. The members representing the Veterans of Foreign Wars and the Order of the Purple Heart shall take office no later than July 1, 2016. The members representing the Disabled American Veterans and the Oklahoma National Guard shall take office no later than July 1, 2017. The Governor shall also appoint three members at large, one of whom may be a nonveteran and shall have a family member residing in a state veteran center, one to be appointed 2015, one to be appointed in 2016, and one to be appointed in 2017.

The executive officer of each veterans' organization operating within the State of Oklahoma shall, on or before January 1 of the year in which the organization's appointee's term expires, submit to the Secretary of State, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives a copy of the performance audit and the financial audit of the organization for the immediately preceding fiscal year of the organization. Such audits shall be conducted in accordance with auditing standards generally accepted in the United States and shall clearly show the total paid membership of the organization and shall be certified to by a certified public accountant. Failure to comply with this section shall render the organization ineligible to submit a nominee to the Governor. The members of the Commission shall be appointed by the Governor with advice and consent of the Senate, and shall serve at the pleasure of the Governor. When a vacancy on the Oklahoma Veterans Commission occurs, the organization which is represented by the vacant position shall submit a list of five (5) names to the Governor. The Governor shall choose a replacement from that list.

Before any member appointed as provided herein shall enter upon his or her duties as a member of the Commission, he or she shall take and subscribe to the oath of office as required by the Constitution of this state.

Present members of the Commission shall continue in office until the expiration of their terms and until their successors are appointed and enter upon the duties of their offices. Appointments shall be made for a three-year period. Any vacancy on the Commission resulting from any cause shall be filled by appointment by the Governor for the remainder of the term as provided in this section. Added by Laws 1947, p. 579, § 2, emerg. eff. April 24, 1947. Amended by Laws 1970, c. 100, § 1, emerg. eff. March 30, 1970; Laws 1970, c. 142, § 1, emerg. eff. April 7, 1970; Laws 1970, c. 254, § 6, emerg. eff. April 21, 1970; Laws 1976, c. 10, § 1, emerg. eff. Feb. 16, 1976; Laws 1981, c. 169, § 2, emerg. eff. May 13, 1981; Laws 1985, c. 295, § 3, emerg. eff. July 24, 1985; Laws 2014, c. 68, § 1, eff. Nov. 1, 2014; Laws 2014, c. 212, § 2, eff. Nov. 1, 2014; Laws 2014, c. 262, § 2, eff. Nov. 1, 2014.

§72-63.3. Powers and duties of Commission - Travel expenses.

The Oklahoma Veterans Commission shall perform all acts necessary or proper to afford emergency, temporary and permanent relief and assistance to all honorably discharged ex-service persons of all wars of the United States of America and to their dependents, and shall perform such other duties as may be prescribed by law. The Commission shall promulgate rules and regulations, in accordance with the Administrative Procedures Act, for the operation and maintenance of the Department of Veterans Affairs; provided, however, in all cases priority and preference shall always be given to disabled or diseased ex-service persons. The members of the Commission shall be reimbursed for necessary travel as provided in the State Travel Reimbursement Act. In addition to its other powers and duties as herein provided, the Commission shall have the following specific powers and duties which shall, however, not be deemed to be exclusive:

1. To organize itself by the election of a Chairman, Vice Chairman and Secretary, who shall perform the duties required of them by the rules and regulations, but shall receive no extra compensation therefor, and to provide for the time and place of meetings of the Commission;

2. To appoint the Director of the Department of Veterans Affairs and provide for the employment of all such other personnel as may be necessary to carry out the provisions of Sections 63.1 through 63.4 of this title, and any other duties prescribed by law. The salary and tenure of the Director of the Department shall be determined by the Commission; and

3. To approve all claims or expenditures from such appropriations as may be made to the Commission prior to the payment thereof except as may be otherwise provided by law.

Added by Laws 1974, p. 580, § 3, emerg. eff. April 24, 1947. Amended by Laws 1979, c. 5, § 1, operative July 1, 1979; Laws 1981, c. 169, §

3, emerg. eff. May 13, 1981; Laws 1985, c. 178, § 67, operative July 1, 1985; Laws 2014, c. 262, § 4, eff. Nov. 1, 2014.

§72-63.4. Partial invalidity.

It is the intention of the Legislature to enact each and every part of this act and if any section, paragraph, sentence, item or clause of this act shall for any reason be held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Laws 1947, p. 580, § 5, emerg. eff. April 24, 1947.

§72-63.5. Collections from patients and members for care and maintenance.

The Oklahoma Veterans Commission is hereby authorized to make collections from eligible patients and members for care and maintenance. Payments shall be established in the following manner:

1. All sources of personal income, except wages of a working spouse, except as provided in this section, shall be considered when computing care and maintenance charges, including pensions and awards for aid and attendance from the Veterans Administration;

2. Care and maintenance charges shall be computed in a manner to maximize the Veterans Administration pension and compensation benefits to which the veteran is entitled and shall allow a veteran to retain not less than One Hundred Fifty Dollars (\$150.00) per month of total monthly income;

3. The care and maintenance charge shall not exceed the full cost of care minus the Veterans Administration per diem payment;

4. Spouses, widows and widowers of eligible war veterans are authorized to be admitted and maintained in the Oklahoma veterans centers. The facilities admitting and maintaining spouses, widows and widowers shall make collections from the spouses, widows and widowers first and to the fullest extent from sources of income other than pension and compensation paid by the Veterans Administration; and

5. The claim of the state for such care and maintenance shall constitute a valid indebtedness against any such patient or member and the patient's estate and shall not be barred by any statute of limitations except as otherwise allowed by the Oklahoma Indigent Health Care Act. At the death of the patient or member, this claim shall be allowed and paid as other lawful claims against the estate. Provided, no admission of a veteran of a period of war, as referenced in 38 U.S.C., Section 1521 or detention of a patient in an Oklahoma veterans center shall be limited or conditioned in any manner by the lack of ability to pay of a patient or member, the patient's estate, or any relative of the patient or member. Any monies collected by the provisions of this section shall be deposited in the Department of Veterans Affairs Revolving Fund.

Added by Laws 1961, p. 704, § 5, emerg. eff. July 31, 1961. Amended by Laws 1981, c. 169, § 4, emerg. eff. May 13, 1981; Laws 1984, c. 249, § 5, operative July 1, 1984; Laws 1987, c. 206, § 80, operative July 1, 1987; Laws 1987, c. 236, § 38, emerg. eff. July 20, 1987; Laws 1992, c. 204, § 1, eff. Sept. 1, 1992; Laws 2014, c. 212, § 3, eff. Nov. 1, 2014; Laws 2017, c. 152, § 1, eff. Nov. 1, 2017.

§72-63.5a. Authorization through the Centers for Medicare and Medicaid and Medicare Services.

A. The Department of Veterans Affairs is authorized to obtain certification through the Centers for Medicare and Medicaid Services and accept payments and reimbursements from Medicare and Medicaid programs for services provided through Oklahoma Veterans Centers.

B. The Oklahoma Veterans Commission is authorized to promulgate rules to implement the provisions of this section.

Added by Laws 2018, c. 89, § 1, eff. Nov. 1, 2018.

§72-63.6. Workers' compensation for certain employees of State War Veterans Home Facilities.

The Oklahoma Veterans Commission is hereby authorized and empowered to provide workers' compensation insurance for all guards, motor vehicle operators, maintenance personnel, registered nurses, registered practical nurses and attendants employed by the institutions included in the Oklahoma State War Veterans Home Facilities.

Added by Laws 1961, p. 593, § 1, emerg. eff. Aug. 7, 1961. Amended by Laws 2014, c. 212, § 4, eff. Nov. 1, 2014.

§72-63.7. Requirements for administrative personnel.

No funds shall be expended for the employment or salary of any administrative personnel not under the provisions of the State Merit System of Personnel Administration, at any facility under the direct supervision and jurisdiction of the Oklahoma Veterans Commission, unless honorably discharged veterans were given priority consideration.

Added by Laws 1972, c. 139, § 6, emerg. eff. April 7, 1972. Amended by Laws 1973, c. 249, § 6, emerg. eff. May 24, 1973; Laws 1981, c. 169, § 5, emerg. eff. May 13, 1981; Laws 2014, c. 212, § 5, eff. Nov. 1, 2014.

§72-63.7A. Classification of certain positions to Merit System of Personnel Administration.

A. Effective July 1, 1994, unclassified Department of Veterans Affairs' employees who were transferred from the Department of Human Services to the Department of Veterans Affairs on July 1, 1991, pursuant to Section 63.18 of this title, shall become permanent classified employees and subject to the provisions of the Merit

System of Personnel Administration pursuant to Section 840.13 of Title 74 of the Oklahoma Statutes without regard to qualifications or examinations. Such employees shall be granted permanent status in the class to which the position occupied by the employee on the effective date of this act is allocated by the Office of Personnel Management. This section shall not apply to employees who are in the unclassified service pursuant to Section 63.18A of this title and Sections 840.8 and 840.10 of Title 74 of the Oklahoma Statutes.

B. Except as provided in Sections 63.9 and 63.18A of this title and Sections 840.8 and 840.10 of Title 74 of the Oklahoma Statutes, all officers, positions and employees of the Department of Veterans Affairs and its constituent institutions shall be subject to the provisions of the Merit System of Personnel Administration as created by the Oklahoma Personnel Act, Section 840.1 et seq. of Title 74 of the Oklahoma Statutes and the rules promulgated thereunder.

C. Nothing contained herein shall prevent the Department of Veterans Affairs from utilizing its authority to appoint or retain employees in the unclassified service pursuant to Sections 63.9 and 63.18A of this title and Sections 840.8 and 840.10 of Title 74 of the Oklahoma Statutes which are not in direct conflict with this section. Added by Laws 1987, c. 206, § 81, operative July 1, 1987 and Laws 1987, c. 236, § 39, emerg. eff. July 20, 1987. Amended by Laws 1994, c. 333, § 1, emerg. eff. June 8, 1994.

§72-63.8. Administration of various departments, agencies and funds.

The Oklahoma Veterans Commission shall have the authority to administer the affairs of the Department of Veterans Affairs, and to enter into agreements with the State Department of Rehabilitation Services for the vocational rehabilitation of disabled veterans in the Oklahoma State Veterans Centers. The Commission shall act as the funding agency for the State Accrediting Agency and provide office space for the staff of the agency. The State Accrediting Agency shall pay to the Commission their pro rata share of utilities and telephone service.

Added by Laws 1973, c. 249, § 3, emerg. eff. May 24, 1973. Amended by Laws 1981, c. 169, § 6, emerg. eff. May 13, 1981; Laws 1982, c. 303, § 9, operative July 1, 1982; Laws 1983, c. 176, § 1, emerg. eff. June 7, 1983; Laws 1993, c. 364, § 21, emerg. eff. June 11, 1993; Laws 2014, c. 212, § 6, eff. Nov. 1, 2014.

§72-63.9. Muskogee and Tulsa Claims Offices - Managers and assistant managers.

The Director of the Department of Veterans Affairs is authorized to employ a manager and an assistant manager for the Muskogee Claims Office and for the Tulsa Claims Office whose positions shall be unclassified and exempt from the rules and procedures of the Merit System of Personnel Administration, except leave regulations.

Personnel employed in these classifications at the time of the passage and approval of this act may elect to remain in the classified service and be subject to the merit system rules and regulations.

Laws 1980, c. 219, § 7, emerg. eff. May 30, 1980; Laws 1981, c. 169, § 7, emerg. eff. May 13, 1981.

§72-63.10. Employee training programs - Funding - Salary, tuition, and subsistence contracts.

A. The Oklahoma Department of Veterans Affairs is hereby authorized to establish within said Department or within any of the institutions operated by the Department training programs to train necessary personnel for the Department or its institutions, or may arrange for programs with any public school or institution within this state having available facilities for training. Funds of the Department or its institutions may be used to pay salaries or tuition and subsistence for employees or prospective employees in said training programs, pursuant to the provisions of subsection B of this section.

B. Any employee or prospective employee who, while receiving such training is paid a salary, or for whom tuition and subsistence are furnished shall enter into a contract with the Department prior to receiving any payment for salary, tuition, or subsistence. The contract shall be in accordance with the rules and regulations promulgated by the Oklahoma Veterans Commission and shall include a stipulation that, unless the employee or prospective employee continues in the employ of the Department for a period equivalent to the length of the training, the employee or prospective employee shall reimburse the Department or institution for the amount of money paid to or for him or her by the Department during the training period.

Added by Laws 1983, c. 140, § 1, emerg. eff. May 23, 1983. Amended by Laws 2014, c. 212, § 7, eff. Nov. 1, 2014.

§72-63.10a. Department of Veterans Affairs on-the-job employee safety program.

It is the intent of the Legislature that the promotion of safety in the workplace is a legitimate public purpose. In order to establish a public employee benefit program to encourage safety in the workplace, the Department of Veterans Affairs is hereby directed to establish an on-the-job employee safety program which encourages work unit safety and reduces lost productivity and compensation costs. In order to promote job safety in work units and provide recognition for work units with exceptional safety records, the Department of Veterans Affairs is authorized to expend from monies available in the State Department of Veterans Affairs Revolving Fund so much thereof as may be necessary to provide incentive awards for

safety-related job performance. However, no employee shall be recognized more than once per calendar year, and the award shall not exceed the value of One Hundred Dollars (\$100.00).
Added by Laws 2000, c. 338, § 2, eff. July 1, 2000.

§72-63.11. State flag for certain deceased national guard members and peace officers.

A. The Oklahoma Veterans Commission shall furnish an Oklahoma state flag to drape the casket of each Oklahoma National Guard member or Oklahoma peace officer, as defined in Section 3311 of Title 70 of the Oklahoma Statutes, who dies in the line of duty, unless the member or officer is otherwise entitled to a United States flag. The state flag shall be a service benefit of each Oklahoma National Guard member and Oklahoma peace officer.

B. After burial of the deceased Oklahoma National Guard member or Oklahoma peace officer, the flag so furnished shall be given to his or her next of kin. If no claim is made by the next of kin, the flag may be given to a close friend or associate of the deceased upon request by such friend or associate to the Oklahoma Veterans Commission. If the flag is given to a close friend or associate of the deceased, no flag shall be given to any other person on account of the death of the Oklahoma National Guard member or Oklahoma peace officer.

Added by Laws 1984, c. 17, § 1, eff. Nov. 1, 1984. Amended by Laws 2014, c. 212, § 8, eff. Nov. 1, 2014.

§72-63.11a. State flag for death of soldiers - Letter of condolence.

A. The Office of Management and Enterprise Services shall, from the effective date of this act, furnish an Oklahoma state flag to any member of the United States Armed Forces, including the National Guard or Armed Forces reserve, who is either killed in the line of duty in a combat zone or dies of wounds inflicted in a combat zone and who, at the time of death, was a resident of this state or whose surviving spouse, or parents, if no surviving spouse, are residents of this state.

B. The Governor's office shall alert the Office of Management and Enterprise Services upon the death of any Oklahoma member of the United States Armed Forces. Prior to sending the flag to the deceased's spouse or parents, the Office of Management and Enterprise Services shall alert the deceased's member of the State Senate and House of Representatives so that a letter of condolence may be sent with the flag. The Oklahoma flag shall be mailed to the surviving spouse, or parents if no surviving spouse, by the Office of Management and Enterprise Services.

C. All United States flags and all Oklahoma flags purchased by the state or political subdivisions shall be manufactured in the United States.

Added by Laws 2010, c. 75, § 1, eff. Nov. 1, 2010. Amended by Laws 2012, c. 304, § 646.

§72-63.12. Lease and/or loan agreement for hospital or health care facilities improvements.

The Oklahoma Department of Veterans Affairs, acting by and through the Oklahoma Veterans Commission, shall be authorized to enter into lease and/or loan agreements with local public trusts operating in and around any proposed facilities of the Department for the purpose of obtaining financing for the acquisition, construction, additions to or improvement of hospital or health care facilities operated by the Department whether existing or to be acquired.

Added by Laws 1985, c. 295, § 4, emerg. eff. July 24, 1985. Amended by Laws 2014, c. 212, § 9, eff. Nov. 1, 2014.

§72-63.13. Power to be exercised in conjunction with local public trust.

The Oklahoma Department of Veterans Affairs, acting by and through the Oklahoma Veterans Commission, in conjunction with the local public trust may:

1. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers pursuant to the provisions of this act, and particularly without limiting the generality of this section, to make and enter into contracts and agreements with the separate instrumentalities, departments and agencies of the State of Oklahoma and/or federal government, in order to effectuate the financing of the hospital and health care facilities;

2. Employ legal counsel, and contract for investment and trustee banking services, and credit support or enhancements, as may be necessary in the judgment of the local public trust, and to fix the fees, charges and compensation therefor; provided, that all such fees and expenses shall be payable solely from the proceeds of the bonds, or any investment earnings thereon, issued pursuant to the provisions of this and/or any other legally available source;

3. Do all things necessary or convenient to implement the powers expressly granted pursuant to the provisions of this act.

Added by Laws 1985, c. 295, § 5, emerg. eff. July 24, 1985. Amended by Laws 2014, c. 212, § 10, eff. Nov. 1, 2014.

§72-63.14. Payment of certain bonds.

The bonds issued by the local public trust, working in conjunction with the Department of Veterans Affairs, acting by and through the Oklahoma Veterans Commission, shall be payable from the following:

1. Fees, charges and payments, including any federal subsidies, grants or contributions, received in respect to providing health care

to veteran patients at such facilities acquired, constructed and equipped with the proceeds of said bonds;

2. Appropriations made in any fiscal year to the Department of Veterans Affairs for defraying costs associated with said facilities; and

3. Any other legally available source.

Added by Laws 1985, c. 295, § 6, emerg. eff. July 24, 1985. Amended by Laws 2014, c. 212, § 11, eff. Nov. 1, 2014.

§72-63.15. Cooperative agreements with local public trusts.

The Department of Veterans Affairs, acting by and through the Oklahoma Veterans Commission, is directed to cooperate with local public trusts, either existing or to be formed, and to enter into all requisite agreements and contracts in order to issue bonds for the purposes prescribed herein.

Added by Laws 1985, c. 295, § 7, emerg. eff. July 24, 1985. Amended by Laws 2014, c. 212, § 12, eff. Nov. 1, 2014.

§72-63.16. Public trusts - Issuance of evidence of indebtedness - Department of Veterans Affairs Trust Fund.

A. The Oklahoma Department of Veterans Affairs shall not, either in conjunction with the Oklahoma Veterans Commission or any other state agency, board or commission or in conjunction with any public trust, issue or cause to be issued by a public trust any bond or other evidence of indebtedness after July 1, 2008.

B. Except as required for purposes of refinancing or refunding an existing issue of indebtedness, from and after July 1, 2008, neither the Oklahoma Department of Veterans Affairs nor the Oklahoma Veterans Commission shall be authorized to enter into agreements with public trusts in connection with an issuance of evidence of indebtedness by such public trusts.

C. No provision of this section shall affect the obligations incurred or agreements entered into by the Oklahoma Department of Veterans Affairs or the Oklahoma Veterans Commission with any public trust if such obligations were incurred or agreements were entered into or are year to year continuations of agreements or leases entered into prior to June 25, 1986. No provision of this section shall be construed as a limitation on the authority of the Oklahoma Department of Veterans Affairs or the Oklahoma Veterans Commission to enter into other agreements not prohibited by this section.

D. There is hereby created in the State Treasury a trust fund for the Oklahoma Department of Veterans Affairs to be designated the "Department of Veterans Affairs Trust Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies authorized for expenditure as provided by this section. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Oklahoma

Department of Veterans Affairs for the purpose of retiring indebtedness evidenced by bonds, whether such bonds are part of an original issue or part of a refunding issue, in the manner prescribed by this section. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

E. The Oklahoma Department of Veterans Affairs shall make deposits into the Department of Veterans Affairs Trust Fund established by this section from the Department of Veterans Affairs Revolving Fund, and from such other monies as may be lawfully expended for the purposes specified by this section.

F. For all fiscal years in which an outstanding balance of bonded indebtedness exists which the Oklahoma Department of Veterans Affairs has caused to be issued through agreements with public trusts, the Oklahoma Department of Veterans Affairs shall at or prior to the end of each fiscal year quarter make money deposits in the Department of Veterans Affairs Trust Fund in amounts sufficient to meet three (3) months' debt service on any public trust bonded indebtedness which the Department has caused to be issued. The Department of Veterans Affairs Trust Fund deposits required by this subsection shall be from any funds available to the Oklahoma Department of Veterans Affairs which may be legally expended for the purposes specified by this section. However, a minimum of an amount equal to one percent (1%) of the Department of Veterans Affairs Budget Work Program for the applicable fiscal year must be transferred from the Oklahoma Department of Veterans Affairs Revolving Fund and included in the total deposits required in each fiscal year.

G. Payments from the fund established pursuant to subsection D of this section shall be made by the Oklahoma Department of Veterans Affairs only upon the authorization of the Director of the Office of Management and Enterprise Services and the Oklahoma Veterans Commission.

H. The Oklahoma Department of Veterans Affairs is hereby authorized to deposit in the fund created in subsection D of this section all federal grant monies which it receives in conjunction with projects which it has caused to be financed through revenue bonds issued by public trusts.

Added by Laws 1986, c. 313, § 6, emerg. eff. June 25, 1986. Amended by Laws 1999, c. 138, § 1, emerg. eff. May 3, 1999; Laws 2003, c. 78, § 1, emerg. eff. April 15, 2003; Laws 2012, c. 304, § 647; Laws 2014, c. 212, § 13, eff. Nov. 1, 2014.

§72-63.17. Limits on expenditure for capital projects.

Except as otherwise provided by Section 63.16 of this title, unless the Department of Veterans Affairs Trust Fund contains the

minimum amount required by Section 63.1 et seq. of this title, the Department of Veterans Affairs, whether acting through the Oklahoma Veterans Commission or any other entity, shall not be authorized to expend any appropriated monies or monies in any revolving fund for any capital project, unless such capital project:

1. Has been undertaken as of June 25, 1986, or unless the project is included in the approved fiscal year 1986 Budget Work Program for the Department of Veterans Affairs;
2. Is required for repairs of an emergency nature; or
3. Is required to proceed with the development of a new Oklahoma Veterans Center facility at Lawton, Oklahoma, pursuant to Section 221.2A of this title.

Added by Laws 1986, c. 313, § 7, emerg. eff. June 25, 1986. Amended by Laws 1997, c. 125, § 3, emerg. eff. April 16, 1997; Laws 2014, c. 212, § 14, eff. Nov. 1, 2014.

§72-63.18. Renumbered as § 3425 of Title 70 by Laws 1999, c. 347, § 6, eff. July 1, 1999.

§72-63.18A. Department of Veterans Affairs - Unclassified positions and personnel.

The following positions and personnel at the Oklahoma Department of Veterans Affairs shall be in the unclassified service as provided in the Oklahoma Personnel Act:

1. Physicians assistants;§
2. Occupational therapists;
3. Physical therapists;
4. Pharmacists;
5. Speech pathologists;
6. Nurse practitioners;
7. Physical therapy assistants;
8. Administrative Assistant to the Director;
9. Programs Administrators;
10. Administrators, Veterans Centers; and
11. Assistant Administrators, Veterans Centers.

Added by Laws 1993, c. 213, § 1, emerg. eff. May 24, 1993. Amended by Laws 2002, c. 478, § 1, eff. July 1, 2002; Laws 2004, c. 462, § 2, eff. July 1, 2004.

§72-63.19. Donation from tax refund to Oklahoma Department of Veterans Affairs Equipment and Capital Improvement Program - Disposition of donated funds - Erroneous donation, claim for refund.

A. The Oklahoma Tax Commission shall include on each state individual income tax return form for tax years beginning after December 31, 2001, and each state corporate tax return form for tax years beginning after December 31, 2001, an opportunity for the taxpayer to donate from a tax refund for the benefit of the Oklahoma

Department of Veterans Affairs Equipment and Capital Improvement Program.

B. The monies generated from donations made pursuant to subsection A of this section shall be used by the Oklahoma Department of Veterans Affairs to purchase equipment and develop capital improvement projects and to acquire properties for expanding or improving existing projects, or for future projects to include site acquisition, architectural plan development and construction.

C. Except as otherwise provided for in this section, all monies generated pursuant to subsection A of this section shall be paid to the State Treasurer and placed to the credit of the Capital Improvement Program Revolving Fund.

D. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Veterans Affairs to be designated "Capital Improvement Program Revolving Fund". The fund shall be a continuing fund not subject to fiscal year limitations and shall consist of all monies received pursuant to the provisions of this section. The Oklahoma Department of Veterans Affairs is hereby authorized to invest all or part of the monies of the fund in securities and any interest or dividends accruing from the investments and any monies generated at the time of redemption of the investments shall be deposited in the Capital Improvement Program Revolving Fund. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Department of Veterans Affairs for the purposes stated in subsection B of this section. Any monies withdrawn from the fund by the Oklahoma Department of Veterans Affairs for investment pursuant to this section shall be deemed to be for the purpose of equipment purchases or enhancing the veterans capital improvement programs of the State of Oklahoma. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

E. If a taxpayer makes a donation pursuant to subsection A of this section in error, the taxpayer may file a claim for refund at any time within three (3) years from the due date of the tax return. Such claims shall be filed pursuant to the provisions of Section 2373 of Title 68 of the Oklahoma Statutes and, if allowed, shall be paid pursuant to the provisions of said section. Prior to the apportionment set forth in subsection C of this section, an amount equal to the total amount of refunds made pursuant to this subsection during any one (1) year shall be deducted during the following year, and the amount deducted shall be paid to the State Treasurer and placed to the credit of the Income Tax Withholding Refund Account. Added by Laws 1994, c. 278, § 37, eff. Sept. 1, 1994. Amended by Laws 2001, c. 358, § 29, eff. July 1, 2001; Laws 2012, c. 304, § 648.

§72-63.20. Deposit of proceeds.

All proceeds derived from the use, sale or lease of properties under the control of the Oklahoma Veterans Commission shall be deposited in the Capital Improvement Program Revolving Fund created by Section 63.19 of this title to be expended according to law. Added by Laws 1999, c. 348, § 6, eff. July 1, 1999. Amended by Laws 2003, c. 115, § 1, eff. July 1, 2003; Laws 2014, c. 212, § 15, eff. Nov. 1, 2014.

§72-63.21. Certified volunteers - Provision of meals for services rendered.

The Oklahoma Veterans Commission is authorized to provide meals to certified volunteers for services rendered in all facilities operated under the control of the Oklahoma Veterans Commission. Added by Laws 2000, c. 160, § 1, eff. Nov. 1, 2000. Amended by Laws 2014, c. 212, § 16, eff. Nov. 1, 2014.

§72-63.22. See the following versions:

OS 72-63.22v1 (SB 135, Laws 2019, c. 392, § 2).

OS 72-63.22v2 (HB 2330, Laws 2019, c. 472, § 2).

§72-63.22v1. Preference for veteran vendors.

A. The Oklahoma Department of Veterans Affairs may grant a preference for purposes of the expenditure of funds for tangible or intangible personal property or services to be acquired by the agency to an honorably discharged veteran or to a lawfully recognized business entity the majority ownership of which, fifty-one percent (51%) or more, is held by an honorably discharged veteran at the time the contract is awarded.

B. No individual veteran or veteran-owned business entity, as defined in subsection A of this section, shall be eligible for consideration as a veteran vendor pursuant to this section unless the individual veteran or veteran-owned business entity has registered with the federal System for Award Management (*SAM.gov*) in the same manner as required to do business with the federal government or has met alternate requirements for qualification or substantiation as established by the Oklahoma Department of Veterans Affairs.

C. As used in this section, the term "veteran" shall be defined in accordance with Section 2 of Title 72 of the Oklahoma Statutes.

D. The Oklahoma Department of Veterans Affairs may promulgate rules for implementing the provisions of this section.

Added by Laws 2019, c. 392, § 2, eff. July 1, 2019.

§72-63.22v2. Preference for veteran vendors.

A. The Oklahoma Department of Veterans Affairs may grant a preference, for purposes of the expenditure of funds for tangible or intangible personal property or services to be acquired by the

agency, to an honorably discharged veteran or to a lawfully recognized business entity having a majority ownership of fifty-one percent (51%) or more of the business that is held by an honorably discharged veteran at the time the contract is awarded.

B. No individual veteran or veteran-owned business entity, as defined in subsection C of this section, shall be eligible for consideration as a veteran vendor pursuant to this section unless the individual veteran or veteran-owned business entity has registered with the federal System for Award Management (*SAM.gov*) in the same manner as required to do business with the federal government or has met alternative requirements for qualification or substantiation as established by the Oklahoma Department of Veterans Affairs.

C. As used in this section, the term "veteran" shall be defined in accordance with Section 2 of Title 72 of the Oklahoma Statutes.

D. The Oklahoma Department of Veterans Affairs may promulgate rules for implementing the provisions of this section.

Added by Laws 2019, c. 472, § 2, eff. July 1, 2019.

NOTE: Editorially renumbered from § 63.22 of of Title 74 to provide consistency in numbering.

§72-64. Certain positions to remain exempt or unclassified.

The status of positions that have been exempted by executive order and positions previously authorized to be in the unclassified service are not affected by this act.

Laws 1981, c. 254, § 6, operative July 1, 1981.

§72-65.1. Department directed to proceed on certain projects.

A. The Oklahoma Department of Veterans Affairs shall be required to proceed with construction projects at veterans centers under the control of the Oklahoma Veterans Commission from funds designated for these purposes.

B. Projects shall be constructed in the order designated by United States Department of Veterans Affairs priorities.

C. Federal matching funds received for these projects shall continue to be deposited in the federal matching fund designated for the Oklahoma Department of Veterans Affairs by the Director of the Office of Management and Enterprise Services and shall be considered as available funds for projects, unless otherwise encumbered.

Added by Laws 1997, c. 376, § 1, eff. Sept. 1, 1997. Amended by Laws 2012, c. 304, § 649; Laws 2014, c. 212, § 17, eff. Nov. 1, 2014.

§72-66.1. Repealed by Laws 1953, p. 402, § 5.

§72-66.2. Repealed by Laws 1953, p. 402, § 5.

§72-66.3. Repealed by Laws 1953, p. 402, § 5.

§72-67.1. Repealed by Laws 1987, c. 206, § 96, operative July 1, 1987; Laws 1987, c. 236, § 204, emerg. eff. July 20, 1987.

§72-67.2. Repealed by Laws 1979, c. 47, § 109, emerg. eff. April 9, 1979.

§72-67.3. Repealed by Laws 1979, c. 47, § 109, emerg. eff. April 9, 1979.

§72-67.11. W.V.C. Revolving Fund.

There is hereby created in the State Treasury a revolving fund to be designated "W.V.C. Revolving Fund".

Laws 1949, p. 762, § 1, emerg. eff. Feb. 25, 1949; Laws 1987, c. 206, § 82, operative July 1, 1987; Laws 1987, c. 236, § 40, emerg. eff. July 20, 1987.

§72-67.12. Nature of fund.

The W.V.C. Revolving Fund shall be a continuing fund not subject to fiscal year limitations and shall consist of all monies received by State Veterans Department as repayments on loans as provided in Section 67.13 of this title, gifts, contributions, bequests and any transfers of monies from the Oklahoma Department of Veterans Affairs Revolving Fund of the State Treasury that may be authorized by the Oklahoma State Legislature.

Laws 1949, p. 762, § 2, emerg. eff. Feb. 25, 1949; Laws 1987, c. 206, § 83, operative July 1, 1987; Laws 1987, c. 236, § 41, emerg. eff. July 20, 1987.

§72-67.13. Expenditures and loans from fund.

The Oklahoma Veterans Commission shall have authority to make expenditures or loans from the W.V.C. Revolving Fund for emergency financial aid in the maintenance or support of honorably discharged veterans or their spouses or surviving spouses who have been legal residents of this state for a period of one (1) year next preceding application for these benefits. Payments may be made from this fund by the Oklahoma Veterans Commission upon warrants drawn by the State Treasurer on claims approved by the Director of the Oklahoma Department of Veterans Affairs pursuant to the guidelines of the Office of Management and Enterprise Services. At the time of approval of claims, the Director shall certify that such payments meet criteria established by regulations promulgated by the Oklahoma Veterans Commission.

Added by Laws 1949, p. 762, § 3, emerg. eff. Feb. 25, 1949. Amended by Laws 1951, p. 324, § 1, emerg. eff. April 18, 1951; Laws 1979, c. 47, § 87, emerg. eff. April 9, 1979; Laws 1981, c. 169, § 8, emerg. eff. May 13, 1981; Laws 1987, c. 206, § 84, operative July 1, 1987; Laws 1987, c. 236, § 42, emerg. eff. July 20, 1987; Laws 1991, c.

259, § 1, emerg. eff. May 27, 1991; Laws 2012, c. 304, § 650; Laws 2014, c. 212, § 18, eff. Nov. 1, 2014; Laws 2014, c. 247, § 1, emerg. eff. May 9, 2014.

§72-67.13a. War veterans defined - Retirement benefits.

Except for the purposes of determining military service credit for state retirement, the words "war veterans" used in Section 67.13 of this title shall be construed to mean such honorably discharged persons as served:

1. In the Armed Forces of the United States at any time during the period from April 6, 1917, to November 11, 1918, both dates inclusive;

2. In the Armed Forces of the United States as members of the 45th Division at any time during the period from September 16, 1940, to December 7, 1941, both dates inclusive;

3. In the Armed Forces of the United States at any time during the period from December 7, 1941, to December 31, 1946, both dates inclusive;

4. In the Armed Forces of the United States at any time during the period from June 27, 1950, to January 31, 1955, both dates inclusive;

5. For a period of ninety (90) days or more, unless discharged from active duty for a service-connected disability, in the Armed Forces of the United States during the period of time in which the United States participated in a war, campaign or battle, but excluding any person who shall have served on active duty for training only, unless discharged from active duty for service-connected disability;

6. In the Armed Forces of the United States at any time during the period which began on:

a. February 28, 1961, and ended on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and

b. August 5, 1964, and ended on May 7, 1975, in all other cases,

except that such period shall be deemed to have ended on December 31, 1976, when determining eligibility for education and training benefits; or

7. In the Armed Forces of the United States on or after August 1, 1990, during the period of time in which the United States participates in a war, military or naval campaign, or expedition, excluding any person who shall have served on active duty for training only, unless discharged from active duty for service-connected disability.

The term "war veterans" shall include only those persons who shall have served during the times or in the areas prescribed in this section, and those persons who were awarded service medals, as

authorized by the United States Department of Defense as reflected in the veteran's Defense Department Form 214, related to the Vietnam Conflict who served prior to August 5, 1964. Any honorably discharged war veteran of any of the Armed Forces of the United States shall be entitled to such tax exemptions to include but not be limited to tax-exempt veterans' benefits as provided in paragraph 12 of Section 2887 of Title 68 of the Oklahoma Statutes, special permits and veterans' preferences for state employment; provided, that any person who shall have served on active duty for training purposes only shall not be entitled to any such tax exemptions, special permits or veterans' preferences.

The provisions of this act shall include military retirees, whose retirement was based only on active service, that have been rated as having twenty percent (20%) or greater service-connected disability by the Veterans Administration or the Armed Forces of the United States. For the purpose of defining military service or status as a war veteran for the granting of military service credit in the retirement systems of the State of Oklahoma, the specific statutory provisions and definitions of each respective system shall govern exclusively.

Added by Laws 1951, p. 324, § 2, emerg. eff. April 18, 1951. Amended by Laws 1968, c. 102, § 1, emerg. eff. April 1, 1968; Laws 1969, c. 150, § 1, emerg. eff. April 14, 1969; Laws 1971, c. 88, § 1, emerg. eff. April 16, 1971; Laws 1975, c. 304, § 1, emerg. eff. June 7, 1975; Laws 1978, c. 1, § 1, emerg. eff. Jan. 13, 1978; Laws 1981, c. 288, § 1, emerg. eff. June 29, 1981; Laws 1987, c. 206, § 85, operative July 1, 1987; Laws 1987, c. 236, § 43, emerg. eff. July 20, 1987; Laws 1990, c. 242, § 1, emerg. eff. May 21, 1990; Laws 1991, c. 138, § 1, eff. July 1, 1991; Laws 1991, c. 205, § 2, emerg. eff. May 17, 1991; Laws 1997, c. 187, § 1, eff. July 1, 1997; Laws 1998, c. 192, § 4, eff. July 1, 1998; Laws 2000, c. 338, § 1, eff. July 1, 2000; Laws 2004, c. 302, § 4, emerg. eff. May 13, 2004.

§72-67.13b. Benefits for persons serving after January 31, 1955.

Any person who served on active duty in the Armed Forces of the United States and was discharged or separated from active duty under conditions other than dishonorable and further had served such active duty for more than ninety (90) days, other than for training purposes, any part of which occurred after January 31, 1955, or was released from active duty after January 31, 1955, for a service-connected disability, shall be entitled to tax exemptions, fees, special permits and veterans' preferences for state employment on the same basis as "war veterans" except as provided in Section 840.15 of Title 74 of the Oklahoma Statutes.

Laws 1971, c. 97, § 1, emerg. eff. April 24, 1971; Laws 1986, c. 115, § 2, eff. Nov. 1, 1986.

§72-67.14. Petty Cash Fund.

There is hereby created a "Petty Cash Fund" for the Oklahoma Veterans Commission. The balance in the fund shall never exceed the sum of Two Thousand Five Hundred Dollars (\$2,500.00) which may be expended for the purposes set forth in Section 67.13 of this title, when the Oklahoma Veterans Commission shall determine that the situation of the applicant is so urgent as to require immediate financial aid. Provided that the "Petty Cash Fund" may be reimbursed by the State Treasurer upon the filing of the claim assigned to the "W.V.C. Petty Cash Fund", for the amount disbursed. The reimbursement shall be made from the "W.V.C. Revolving Fund". Further provided that if the emergency assistance allowed by this section be made in the form of a loan to the applicant, the applicant's repayment of the loan shall be remitted to the State Treasurer for deposit to the credit of the W.V.C. Revolving Fund in the State Treasury.

Added by Laws 1949, p. 763, § 4, emerg. eff. Feb. 25, 1949. Amended by Laws 1979, c. 47, § 88, emerg. eff. April 9, 1979; Laws 1987, c. 206, § 86, operative July 1, 1987; Laws 1987, c. 236, § 44, emerg. eff. July 20, 1987; Laws 2014, c. 212, § 19, eff. Nov. 1, 2014.

§72-67.15. Invalidity clause.

The Legislature hereby declares that it intended to enact every part, clause, sentence, or section of this act and if any part thereof shall be invalid for any reason, the invalidity thereof shall not affect the validity of any other parts, clauses, sentences, or sections of this act, but the same shall remain in force and effect to the same extent as if such invalid parts, clauses, sentences, or sections had been omitted.

Laws 1949, p. 763, § 5, emerg. eff. Feb. 25, 1949.

§72-68.1. Purpose of act.

The purpose of this act shall be to provide adequate training facilities for the training and rehabilitation of residents of the State of Oklahoma, who may be affected with such severe physical handicaps as to prevent their employment in the normal fields of vocational activity, without such specialized training, through the establishment of a Rehabilitation Center for the Severely Handicapped.

Laws 1947, p. 582, § 1, emerg. eff. May 2, 1947.

§72-68.2. Contracts with educational institutions for establishment of training courses.

The Soldiers Relief Commission is hereby authorized to enter into contracts with the Board of Regents of any educational institution in the Oklahoma State System of Higher Education, subject to the approval of the Oklahoma State Regents for Higher Education, for the

purpose of providing such institution with the equipment and supplies necessary for the establishment, operation and maintenance of the Rehabilitation Center for the Severely Handicapped and for repair and replacement of said equipment and supplies. Such contracts shall provide for the establishment of such training courses as may be determined by the Soldiers Relief Commission to be necessary for the achievement of the purposes of this act; and shall provide for administration and operation of the Rehabilitation Center by the Board of Regents of any Institution with which such contract may be made, and shall require such Board of Regents to cooperate with the Veterans' Administration of the United States and all other state and federal agencies which may be authorized to provide any funds, services or facilities which will assist in giving effect to the provisions of this act.

Laws 1947, p. 582, § 3, emerg. eff. May 2, 1947.

§72-71. Repealed by Laws 1961, p. 587, § 1.

§72-72. Repealed by Laws 1961, p. 587, § 1.

§72-73. Repealed by Laws 1961, p. 587, § 1.

§72-74. Repealed by Laws 1961, p. 587, § 1.

§72-81. Repealed by Laws 1961, p. 587, § 1.

§72-82. Repealed by Laws 1961, p. 587, § 1.

§72-83. Repealed by Laws 1961, p. 587, § 1.

§72-84. Repealed by Laws 1961, p. 587, § 1.

§72-85. Repealed by Laws 1961, p. 587, § 1.

§72-86. Repealed by Laws 1961, p. 587, § 1.

§72-87. Repealed by Laws 1961, p. 587, § 1.

§72-101. Repealed by Laws 1939, p. 362, § 1, emerg. eff. April 29, 1939.

§72-102. Repealed by Laws 1961, p. 587, § 1.

§72-103. Repealed by Laws 1961, p. 587, § 1.

§72-104. Repealed by Laws 1961, p. 587, § 1.

- §72-105. Repealed by Laws 1961, p. 587, § 1.
- §72-106. Repealed by Laws 1961, p. 587, § 1.
- §72-107. Repealed by Laws 1961, p. 587, § 1.
- §72-108. Repealed by Laws 1961, p. 587, § 1.
- §72-108a. Repealed by Laws 1961, p. 587, § 1.
- §72-108b. Repealed by Laws 1961, p. 587, § 1.
- §72-108c. Repealed by Laws 1961, p. 587, § 1.
- §72-108d. Repealed by Laws 1961, p. 587, § 1.
- §72-108e. Repealed by Laws 1961, p. 587, § 1.
- §72-108f. Repealed by Laws 1961, p. 587, § 1.
- §72-121. Repealed by Laws 1961, p. 587, § 1.
- §72-126.1. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.2. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.3. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.4. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.5. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.6. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.7. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.8. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.

- §72-126.9. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.10. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.11. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.12. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.13. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.14. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.15. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.16. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.17. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.18. Renumbered as § 197 of this title by Laws 2019, c. 23, § 13, emerg. eff. April 4, 2019.
- §72-126.19. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.20. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.21. Repealed by Laws 1989, c. 154, § 2, operative July 1, 1989.
- §72-126.22. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-126.23. Repealed by Laws 2019, c. 23, § 12, emerg. eff. April 4, 2019.
- §72-131. Repealed by Laws 1961, p. 587, § 1.

- §72-132. Repealed by Laws 1961, p. 587, § 1.
- §72-133. Repealed by Laws 1961, p. 587, § 1.
- §72-134. Repealed by Laws 1961, p. 587, § 1.
- §72-135. Repealed by Laws 1961, p. 587, § 1.
- §72-136. Repealed by Laws 1961, p. 587, § 1.
- §72-137. Repealed by Laws 1961, p. 587, § 1.
- §72-138. Repealed by Laws 1961, p. 587, § 1.
- §72-139. Repealed by Laws 1961, p. 587, § 1.
- §72-140. Repealed by Laws 1961, p. 587, § 1.
- §72-141. Repealed by Laws 1961, p. 587, § 1.
- §72-142. Repealed by Laws 1961, p. 587, § 1.
- §72-151. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-152. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-153. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-154. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-155. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-156. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-157. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.
- §72-158. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.

§72-159. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.

§72-160. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.

§72-161. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.

§72-162. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.

§72-163. Repealed by Laws 1939, p. 361, § 1, emerg. eff. May 10, 1939.

§72-164. Repealed by Laws 2015, c. 215, § 1.

§72-165. Cemetery and graves of soldiers placed under Adjutant General's supervision.

That the cemetery and graves of soldiers now buried on said property be and the same are placed under the supervision and care of the Adjutant General of the State of Oklahoma.

Laws 1939, p. 362, § 3, emerg. eff. May 10, 1939.

§72-181. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-182. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-183. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-184. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-185. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-186. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-187. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-188. Repealed by Laws 1945, p. 340, § 8, eff. July 1, 1945.

§72-191. Short title - Veterans Volunteer Guardianship Act.

This act shall be known and may be cited as the "Veterans Volunteer Guardianship Act".

Added by Laws 2019, c. 23, § 1, emerg. eff. April 4, 2019.

§72-192. Guardianship created under prior law.

A. 1. Any guardianship established under the authority of the Revised Uniform Veterans' Guardianship Act and in existence on November 1, 2019, shall comply with the provisions of Title 30 of the Oklahoma Statutes for guardianships for an incapacitated person or partially incapacitated adult person and shall remain in full force and effect unless modified or terminated.

2. All guardians shall retain the powers assigned to them, unless otherwise modified or terminated by the court.

B. The chief judge of each district court shall establish a schedule by court rule which shall provide for a court review by November 1, 2020, of each guardianship case in which a guardian was appointed pursuant to the Revised Uniform Veterans Guardianship Act prior to November 1, 2019.

Added by Laws 2019, c. 23, § 2, emerg. eff. April 4, 2019.

§72-193. Appointment as guardian - Procedure - Duties.

A. A guardian or limited guardian may be appointed for an incapacitated or partially incapacitated adult veteran by the court in accordance with the procedures and requirements in Section 3-101 of Title 30 of the Oklahoma Statutes.

B. A guardian shall be appointed as a general or limited guardian as defined by Section 1-109 of Title 30 of the Oklahoma Statutes.

C. The petition and orders for guardianship shall cite the Veterans Volunteer Guardianship Act if the guardianship is intended to be governed by and availed of the benefits of the Veterans Volunteer Guardianship Act.

D. Unless otherwise provided in the Veterans Volunteer Guardianship Act, a guardian appointed to a guardianship established pursuant to this act shall be subject to all the duties, requirements and protections provided to a guardian to an incapacitated person or partially incapacitated person under Title 30 of the Oklahoma Statutes. In addition, the guardian shall maintain:

1. Regular contact with the subject of the proceeding for purposes of assessing the person's capabilities, limitations, needs and opportunities; and

2. If applicable, regular contact with the social workers, health care providers or institutions that provide services to the subject of the proceeding.

Added by Laws 2019, c. 23, § 3, emerg. eff. April 4, 2019.

§72-194. Requirements for subject and guardian.

A. The subject of the proceeding in a guardianship established pursuant to the Veterans Volunteer Guardianship Act shall:

1. Meet the requirements of "veteran" pursuant to Section 2 of Title 72 of the Oklahoma Statutes;

2. Be a resident of this state; and

3. Be in receipt of a veteran's disability compensation or pension from the United States Department of Veterans Affairs pursuant to Title 38 of the Code of Federal Regulations or in receipt of benefits under the Supplemental Nutrition Assistance Program.

B. The current or prospective guardian in a guardianship established pursuant to the Veterans Volunteer Guardianship Act shall:

1. Be an individual;

2. Be a resident of this state;

3. Not be related by blood, adoption or marriage to the subject of the proceeding within the third degree of affinity or consanguinity;

4. Not be considered ineligible or barred from serving as a fiduciary for a veterans affairs beneficiary under Section 13.130 of Title 38 of the Code of Federal Regulations; provided, that any guardian appointed under the Veterans Volunteer Guardianship Act that is subsequently denied appointment as a fiduciary shall provide notification to the court within thirty (30) days of receipt of notice of the denial;

5. Serve on a volunteer basis and waive compensation for services as a guardian; provided, the guardian may receive reimbursement of expenses incurred on behalf of the subject of the proceeding that are authorized by court order and subject to the limitations imposed by the court; and

6. Be availed of any benefits and subject to any additional requirements promulgated by rules or policy of the Oklahoma Department of Veteran Affairs, as the Department deems beneficial to the recruitment of community volunteer guardians and protection of the interest of the wards, including but not limited to background checks.

C. Nothing in this section shall be construed to prevent a guardian or prospective guardian from receiving compensation for services as a fiduciary appointed by the United States Department of Veterans Affairs or as a court-ordered guardian that is otherwise authorized under Title 30 of the Oklahoma Statutes and does not cite authority or request benefits from the provisions of the Veterans Volunteer Guardianship Act.

D. Nothing in this section shall entitle a guardian of the property of a veteran to payments on behalf of the subject of the proceeding for veteran's benefits unless the guardian has made application to the United States Department of Veterans Affairs for appointment as a fiduciary as required by federal law.

Added by Laws 2019, c. 23, § 4, emerg. eff. April 4, 2019.

§72-195. Bond requirements.

A. Before the entry of an order appointing a person as the guardian or limited guardian of the property of an incapacitated or

partially incapacitated veteran pursuant to the Veterans Volunteer Guardianship Act is submitted and before the letters of guardianship issue, the court shall require the person to be appointed to provide a bond, in an amount of the value of intangible personal property as alleged in the petition or otherwise determined by the court at the hearing on the petition, plus projected annual income of the subject of the proceeding from all sources, rounded to the nearest One Hundred Dollars (\$100.00).

B. The court may waive or reduce the amount of the bond required in subsection A of this section when the guardian's authority does not include management of the property of the subject of the proceeding.

C. The bond shall be provided or reimbursed by the Oklahoma Department of Veterans Affairs, subject to availability of funds, provided the guardian and subject of the proceeding meet the requirements in subsections A and B of Section 4 of this act. Added by Laws 2019, c. 23, § 5, emerg. eff. April 4, 2019.

§72-196. Guardian as fiduciary.

A. If the guardian is appointed as a fiduciary by the United States Department of Veterans Affairs pursuant to regulations adopted by the Department in any applicable part of Title 38 of the Code of Federal Regulations, the fiduciary accounting provided to the Department pursuant to Section 13.280 of Title 38 of the Code of Federal Regulations shall be included in the annual accounting filed with the district court as part of the annual accounting of a guardian of the property as required by Section 4-303 of Title 30 of the Oklahoma Statutes.

B. A guardian may work in consultation with an institutional fiduciary appointed by the Department pursuant to Title 38 of the Code of Federal Regulations and include information provided by the institutional fiduciary in the annual accounting of a guardian of the property as required by Section 4-303 of Title 30 of the Oklahoma Statutes.

Added by Laws 2019, c. 23, § 6, emerg. eff. April 4, 2019.

§72-197. Treatment in institution - Commitment - Transfer.

(1) Whenever, in any proceeding under the laws of this state for the commitment of a person alleged to be of unsound mind or otherwise in need of confinement in a hospital or other institution for his proper care, it is determined after such adjudication of the status of such person as may be required by law that commitment to a hospital for mental disease or other institution is necessary for safekeeping or treatment and it appears that such person is eligible for care or treatment by the Veterans Administration or other agency of the United States Government, the court, upon receipt of a certificate from the Veterans Administration or such other agency

showing that facilities are available and that such person is eligible for care or treatment therein, may commit such person to said Veterans Administration or other agency. The person whose commitment is sought shall be personally served with notice of the pending commitment proceeding in the manner as provided by the laws of this state; and nothing in this act shall affect his right to appear and be heard in the proceedings. Upon commitment, such person, when admitted to any facility operated by any such agency within or without this state shall be subject to the rules and regulations of the Veterans Administration or other agency. The chief officer of any facility of the Veterans Administration or institution operated by any other agency of the United States to which the person is so committed shall with respect to such person be vested with the same powers as superintendents of state hospitals for mental diseases within this state with respect to retention of custody, transfer, parole or discharge. Jurisdiction is retained in the committing or other appropriate court of this state at any time to inquire into the mental condition of the person so committed, and to determine the necessity for continuance of his restraint, and all commitments pursuant to this act are so conditioned.

(2) The judgment or order of commitment by a court of competent jurisdiction of another state or of the District of Columbia, committing a person to the Veterans Administration, or other agency of the United States Government for care or treatment shall have the same force and effect as to the committed person while in this state as in the jurisdiction in which is situated the court entering the judgment or making the order; and the courts of the committing state, or of the District of Columbia, shall be deemed to have retained jurisdiction of the person so committed for the purpose of inquiring into the mental condition of such person, and of determining the necessity for continuance of his restraint; as is provided in subsection (1) of this section with respect to persons committed by the courts of this state. Consent is hereby given to the application of the law of the committing state or district in respect to the authority of the chief officer of any facility of the Veterans Administration, or of any institution operated in this state by any other agency of the United States to retain custody, or transfer, parole or discharge the committed person.

(3) Upon receipt of a certificate of the Veterans Administration or such other agency of the United States that facilities are available for the care or treatment of any person heretofore committed to any hospital for the insane or other institution for the care or treatment of persons similarly afflicted and that such person is eligible for care or treatment, the superintendent of the institution may cause the transfer of such person to the Veterans Administration or other agency of the United States for care or treatment. Upon effecting any such transfer, the committing court or

proper officer thereof shall be notified thereof by the transferring agency. No person shall be transferred to the Veterans Administration or other agency of the United States if he be confined pursuant to conviction of any felony or misdemeanor or if he has been acquitted of the charge solely on the ground of insanity, unless prior to transfer the court or other authority originally committing such person shall enter an order for such transfer after appropriate motion and hearing.

Any person transferred as provided in this section shall be deemed to be committed to the Veterans Administration or other agency of the United States pursuant to the original commitment. Added by Laws 1945, p. 375, § 18, emerg. eff. April 17, 1945. Renumbered from § 126.18 of this title by Laws 2019, c. 23, § 13, emerg. eff. April 4, 2019.

§72-201. Repealed by Laws 1953, p. 403, § 6, emerg. eff. Feb. 19, 1953; Laws 1955, p. 458, § 6, emerg. eff. May 6, 1955.

§72-202. Management and control.

The Oklahoma Veterans Centers shall be under the management and control of the Oklahoma Department of Veterans Affairs which shall:

1. Make all necessary rules, regulations and procedures for the operation and management of veterans centers operated by the Oklahoma Department of Veterans Affairs;
2. Ensure compliance with all federal and state statutes and rules which are applicable to the operation of long-term care facilities;
3. Appoint and fix the duties and compensation of veterans center administrators and other necessary employees;
4. Provide necessary clothing, food, and care to all residents, including medications and proper medical care;
5. Provide for the burial of deceased residents who have no surviving relatives or whose relatives do not claim their bodies; and
6. Assure the protection of the rights of all residents, including the right to be free of neglect and abuse.

Added by Laws 1949, p. 620, § 2, emerg. eff. May 31, 1949. Amended by Laws 2013, c. 233, § 4, eff. Nov. 1, 2013.

§72-203. Repealed by Laws 2014, c. 76, § 1, eff. Nov. 1, 2014.

NOTE: Laws 2014, c. 212, § 20 amended this section, without reference to the repealer, to read as follows:

All real estate, buildings, furniture, equipment, livestock and other property that have been or that are now owned or held by the Board of Trustees of the Oklahoma Confederate Home or by the Southern Oklahoma Hospital, or by the Board of Regents of the University of Oklahoma for the Southern Oklahoma Hospital, are hereby

transferred to and placed under the management and control of the Oklahoma Veterans Commission for the use of the Oklahoma Veterans Home; and the Board of Regents of the University of Oklahoma shall, not later than ten (10) days after this act becomes effective, deliver a complete inventory of all such property to the Oklahoma Veterans Commission which shall, upon verification of such inventory by an actual inspection of the property listed therein, acknowledge receipt and delivery of such property.

§72-204. Repealed by Laws 1953, p. 403, § 6, emerg. eff. Feb. 19, 1953; Laws 1955, p. 458, § 6, emerg. eff. May 6, 1955.

§72-205. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-205.1. Repealed by Laws 1979, c. 47, § 109, emerg. eff. April 9, 1979.

§72-206. Priority in admission.

The War Veterans Commission is hereby required to give priority to those applicants who are presently confined in state institutions. Laws 1949, p. 621, § 7, emerg. eff. May 31, 1949.

§72-221. Establishment - Site - Purpose - Administration and control.

There is hereby established at Sulphur, Oklahoma, on the site of the Oklahoma State Veterans Hospital, and at Ardmore, Oklahoma, on the site of the Oklahoma State Veterans Home Facilities, and at Norman, Oklahoma, on the site of the Veterans Ward of the Griffin Memorial Hospital, further described as follows:

Starting at the Southeast corner of the Northeast Quarter (NE 1/4) of Section twenty-nine (29), Township nine (9) North, Range two (2) West, of the Indian Meridian; thence North seventeen hundred (1700) feet to a point on the East boundary of Section twenty-nine (29), Township nine (9) North, Range two (2) West; thence West six hundred (600) feet; thence South eight hundred fifty (850) feet; thence West three hundred twenty-five (325) feet; thence South four hundred (400) feet; thence in a Southwest direction five hundred forty (540) feet to a point on the South boundary of the Northeast Quarter (NE 1/4) of Section twenty-nine (29), Township nine (9) North, Range two (2) West of the Indian Meridian; thence East a distance of one thousand two hundred twenty-three (1,223) feet to the point of beginning;

facilities to be known as the Oklahoma Veterans Centers (for the purpose of securing special treatment or hospitalization the

adjoining facilities of Griffin Memorial Hospital shall be considered an integral part of the Oklahoma Veterans Centers at Norman, and may be utilized to care for eligible veterans), which shall be available for care of war veterans discharged other than under dishonorable conditions. Further provided such centers shall be under the administration and control of the Oklahoma Veterans Commission. Added by Laws 1953, p. 402, § 1, emerg. eff. Feb. 19, 1953. Amended by Laws 1955, p. 457, § 1, emerg. eff. May 6, 1955; Laws 1969, c. 184, § 2; Laws 1990, c. 265, § 62, operative July 1, 1990; Laws 2014, c. 212, § 21, eff. Nov. 1, 2014.

§72-221.1. Veterans Center at Norman - Operation and administration - Legal description.

Effective July 1, 1979, the responsibility for the operation and administration of the Oklahoma Veterans Center, Norman, Oklahoma, shall be assumed by the Department of Veterans Affairs. Thereafter, the Oklahoma Veterans Center, Norman, shall operate as a separate institution under the direction and control of the Department of Veterans Affairs. The facility shall be described as such real property situated in Cleveland County, State of Oklahoma, and more particularly described as follows: The North half (N 1/2) of Section 28, Township 9 North, Range 2 West, Indian Meridian, Cleveland County, less and except the West half (W 1/2) of the Northwest quarter (NW 1/4) of Section 28, said tract containing 240 acres more or less.

Added by Laws 1979, c. 266, § 12, eff. July 1, 1979. Amended by Laws 1990, c. 51, § 141, emerg. eff. April 9, 1990; Laws 1997, c. 187, § 2, eff. July 1, 1997.

§72-221.2. Oklahoma Veterans Center, Claremore Division - Operation and administration - Legal description.

In addition to the Oklahoma Veterans Centers established by Sections 203, 221, 221.1, 226 and 229 of this title, the facility known as the Oklahoma Veterans Center, Claremore Division, since March, 1987, shall continue to be operated as a veterans center by the Department of Veterans Affairs; such property described as the real property situated in Rogers County, State of Oklahoma, and more particularly described as follows:

A tract of land located in Lot 1, Section 7, Township 21 North, Range 16 East of I.B.& M., further described as follows: Beginning at the Northwest corner of said Lot 1, thence North 89 degrees 42'40" East along the North line thereof 671.00 feet; thence South parallel to the West line of said Lot 1, 750.00 feet; thence North 89 degrees 42'40" East 361.51 feet; thence South 567.53 feet to the South line of said Lot 1; thence South 89 degrees 44' West along the South line of said Lot 1, 1032.51 feet to the Southwest corner thereof; thence

North 1317.14 feet to the point of beginning, said tract containing 25 acres, more or less.

Added by Laws 1992, c. 95, § 1, emerg. eff. April 17, 1992. Amended by Laws 2005, c. 70, § 1, eff. July 1, 2005.

§72-221.2A. Oklahoma Veterans Center at Lawton - Development - Operation and administration - Legal description.

Effective April 16, 1997, the Oklahoma Department of Veterans Affairs is directed within the availability and limitations of its revolving funds, not otherwise encumbered or specified, to proceed with the development of a new Oklahoma Veterans Center facility at Lawton, Oklahoma.

In addition to the Oklahoma Veterans Centers established by Sections 203, 221, 221.1, 221.2, 226 and 229 of this title, the facility known as the Oklahoma Veterans Center, Lawton/Ft. Sill Division, shall be operated as a veterans center by the Department of Veterans Affairs located on a tract of land described as the E/2NE/4 SEC 33-2N-11 WIM, Comanche County, Oklahoma, and leased to the Oklahoma Department of Veterans Affairs by the Commissioners of the Land Office, State of Oklahoma.

Added by Laws 1997, c. 125, § 1, emerg. eff. April 16, 1997. Amended by Laws 2005, c. 70, § 2, eff. July 1, 2005.

§72-221.3. Competitive bidding for provision of supplies and services under Medicare Part B.

A. The Department of Veterans Affairs shall develop and adopt procedures for competitively bidding an agreement for supplies and services under Medicare Part B as approved by the Director of Central Purchasing.

B. Upon the effective date of this act, the Department of Veterans Affairs shall annually compile a list of Medicare Part B supplies and services in use in veterans centers throughout the state.

C. The Department shall, upon request, make such list available, along with information on the Department's competitive bid procedures, to any vendor interested in providing supplies and services under Medicare Part B.

D. Vendors may subsequently participate in competitive bidding by submitting a sealed itemized bid to the Department. The Department shall select from among the submitted bids, the overall lowest and best bid.

Added by Laws 1996, c. 149, § 1, emerg. eff. May 7, 1996.

§72-221.4. Purchase of products available through General Services Administration contracts.

Notwithstanding any other provision of law, the Department of Veterans Affairs shall be authorized to purchase products which are

available through a General Services Administration contract. Such products shall not be required to be on a current state contract before a purchase can be made.

Added by Laws 1996, c. 149, § 2, emerg. eff. May 7, 1996.

§72-221.5. Individual purchasing entity.

For the determination of compliance with limits set forth in The Oklahoma Central Purchasing Act, each division of the Oklahoma Department of Veterans Affairs that operates a Veterans Center shall, if the division has a Certified Procurement Officer and makes purchases in compliance with internal purchasing procedures of the Oklahoma Department of Veterans Affairs that are approved by the Office of Management and Enterprise Services, be regarded as an individual purchasing entity.

Added by Laws 2000, c. 305, § 1, emerg. eff. June 5, 2000. Amended by Laws 2012, c. 304, § 652.

§72-222. Revolving fund.

A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Veterans Affairs to be known as the Oklahoma Department of Veterans Affairs Revolving Fund. The revolving fund shall consist of all funds and monies received by the Oklahoma Department of Veterans Affairs, its constituent institutions, and/or, the Oklahoma Veterans Commission, from any gifts, contributions, bequests, individual reimbursements except as otherwise provided by law, and other sources of revenue, for the care or support of war veterans discharged other than under dishonorable conditions, who have been admitted and cared for at the Oklahoma Department of Veterans Affairs Centers, at Ardmore, Claremore, Clinton, Lawton/Ft. Sill, Norman, Sulphur or Talihina. Provided no grants-in-aid, reimbursements, or other revenue from the United States government or any instrumentality of the United States government shall be deposited in the fund. Provided further, nothing contained herein prohibits the establishment and utilization of special agency accounts by the Oklahoma Department of Veterans Affairs and its constituent institutions, as may be approved by the Special Agency Account Board, for receipt and disbursement of the personal funds of Veteran Center patients and members and/or for receipt and disbursement of charitable contributions and donations for use by and for patients and members.

B. The revolving fund herein created shall be used by the Oklahoma Department of Veterans Affairs to pay for the care of war veterans discharged other than under dishonorable conditions, in Veterans Centers, to pay the general operating expenses of the Veterans Centers, including the payment of salaries and wages of officials and employees, to pay for the employee safety programs and incentive awards provided for in Section 63.10a of this title, and to

remodel, repair, construct, build additions, modernize, or add improvements of domiciliary or hospital buildings necessary for the care of veterans, including tuberculosis, mentally ill or neuropsychiatric patients, but not excluding others; and architectural plans, specifications, or other costs pertinent thereto.

C. The Oklahoma Department of Veterans Affairs may transfer monies from the revolving fund created in this section to the W.V.C. Revolving Fund in the State Treasury.

D. All expenditures from the revolving fund shall be made upon warrants issued by the State Treasurer based upon claims approved by the Oklahoma Department of Veterans Affairs, as provided by law, and filed with the Director of the Office of Management and Enterprise Services for approval and payment.

Added by Laws 1953, p. 403, § 2, emerg. eff. Feb. 19, 1953. Amended by Laws 1955, p. 457, § 2, emerg. eff. May 6, 1955; Laws 1981, c. 254, § 9, operative July 1, 1981; Laws 1987, c. 206, § 87, operative July 1, 1987; Laws 1987, c. 236, § 45, emerg. eff. July 20, 1987; Laws 2000, c. 338, § 3, eff. July 1, 2000; Laws 2001, c. 20, § 1, eff. July 1, 2001; Laws 2012, c. 304, § 653; Laws 2014, c. 212, § 22, eff. Nov. 1, 2014.

§72-222.1. Renumbered as § 3426 of Title 70 by Laws 1999, c. 347, § 6, eff. July 1, 1999.

§72-223. Acceptance of Act of Congress - Participation in per diem grant program.

A. The State of Oklahoma accepts the provisions of the Act of Congress of August 27, 1888, as amended, 1934 Edition U.S. Code, Title 24, Section 134, and of any other federal law or Act of Congress providing for the payment of funds to states for the care of, or support of, disabled soldiers and sailors in state homes, and it shall be the duty of the Oklahoma Veterans Commission to obtain such federal aid and assistance as is available under the aforementioned Act of Congress, or otherwise. All such funds received from the United States or any federal agency, for such care, shall be deposited in a federal fund created by the Office of Management and Enterprise Services as provided by law.

B. All Oklahoma veterans nursing facilities shall participate in the state veterans homes per diem grant program administered by the United States Department of Veterans Affairs. Upon approval by the United States Department of Veterans Affairs of a nursing facility to participate in the per diem program, the Oklahoma Veterans Commission shall issue a license to operate such facility as an Oklahoma veterans home.

Added by Laws 1953, p. 403, § 3, emerg. eff. Feb. 19, 1953. Amended by Laws 1955, p. 457, § 3, emerg. eff. May 6, 1955; Laws 1987, c.

206, § 88, operative July 1, 1987; Laws 1987, c. 236, § 46, emerg. eff. July 20, 1987; Laws 2003, c. 89, § 2, emerg. eff. April 15, 2003; Laws 2012, c. 304, § 654; Laws 2014, c. 212, § 23, eff. Nov. 1, 2014.

§72-223.1. Employer-based nurse aide training programs.

The Oklahoma Department of Veterans Affairs in its capacity as an operator of nursing facilities under Title 72 of the Oklahoma Statutes is authorized to provide an employer-based program for training of nurse aides for purposes of certification by the State Department of Health. Such programs shall comply with the provisions of Section 1-1951 of Title 63 of the Oklahoma Statutes. Added by Laws 2006, c. 88, § 1, eff. Nov. 1, 2006.

§72-224. Repealed by Laws 2014, c. 213, § 2, eff. Nov. 1, 2014.

§72-225. Duties and powers.

The Oklahoma Veterans Commission, in addition to its other powers and duties as herein provided, shall have the following specific powers and duties which shall, however, not be deemed to be exclusive: (a) To make necessary rules and regulations not inconsistent with Section 221 et seq. of this title for the operation of the institutions. (b) To rule upon eligibility of applicant and requirements for admission to the institution. (c) To appoint all administrative personnel and provide for the employment of all such other personnel as may be necessary to carry out the provisions of Section 221 et seq. of this title and any other duties as may be prescribed by law. The salaries and tenure of office of all personnel shall be determined by the Commission. (d) To approve or disapprove all claims or expenditures from such appropriations as may be made to the Commission prior to the payment thereof, except as may be otherwise provided by law. (e) To enter into agreement or contract with the Director of Mental Health and Substance Abuse Services, or other departments of the State of Oklahoma, to provide necessary services to carry out the provisions of Section 221 et seq. of this title. (f) To enter into agreement or contract with the Veterans Administration, or other appropriate federal agency now in existence or hereafter created, to provide necessary services to carry out the provisions of this act; including but not limited to, agreements by which the federal government contributes funds for the construction of buildings in whole or in part. (g) To contract, as herein provided or as otherwise provided by law, to remodel, construct, repair, build additions, modernize or add improvements necessary for hospitalization and domiciliary care of veteran patients, members, or employee housing, using funds available by law. (h) To expend necessary sums from funds provided by law, to provide architectural plans, specifications, costs or other information

required by the Administrator of Veterans Affairs, or other appropriate federal agency, as basis of application for approval to receive federal grant of funds to remodel, repair, construct, build additions, modernize, or added improvements of domiciliary or hospital buildings necessary for the care of veterans, including tuberculosis, mentally ill, and neuro-psychiatric, but not excluding others.

Added by Laws 1953, p. 403, § 5, emerg. eff. Feb. 19, 1953. Amended by Laws 1955, p. 458, § 5, emerg. eff. May 6, 1955; Laws 1987, c. 206, § 89, operative July 1, 1987; Laws 1987, c. 236, § 47, emerg. eff. July 20, 1987; Laws 1990, c. 51, § 142, emerg. eff. April 9, 1990; Laws 2014, c. 212, § 24, eff. Nov. 1, 2014.

§72-226. Veterans Center at Clinton - Establishment - Employees.

There is hereby established, in addition to the Oklahoma Veterans Centers established by Section 221 of Title 72 of the Oklahoma Statutes, the Oklahoma Veterans Center at Clinton, Oklahoma, on the site of the former Western Oklahoma Tuberculosis Sanatorium. All persons serving as employees of the Western Oklahoma Tuberculosis Sanatorium under provisions of the State Merit System of Personnel Administration shall continue to serve as employees of the Oklahoma Veterans Center at Clinton, provided that such employees shall remain in the classified service. All employees hired by the Oklahoma Veterans Center at Clinton on or after the effective date of this act shall be under the Oklahoma Merit System of Personnel Administration, except one superintendent, one principal assistant or deputy, one private secretary, part-time physicians and other professional personnel engaged in clinical and consultant services. The buildings and equipment and the following described land of the Western Oklahoma Tuberculosis Sanatorium are hereby transferred to the Oklahoma Veterans Center at Clinton:

A strip, piece or parcel of land lying in the NE 1/4 of Section 26, T 12 N, R 17 W, in Custer County, Oklahoma, said parcel of land being described by metes and bounds as follows:

Beginning at the point where the present east right-of-way line of US Highway 183 intersects the north line of said NE 1/4 a distance of 2,142.3 feet west of the NE corner of said NE 1/4, thence southwesterly along said right-of-way line along a curve to the right having a radius of 2,914.9 feet a distance of 155.2 feet, thence S 28 degrees 14' W along said right-of-way line a distance of 106.5 feet, thence S 51 degrees 46' E along said right-of-way line a distance of 10.0 feet, thence S 28 degrees 14' W along said right-of-way line a distance of 279.0 feet, thence S 21 degrees 46' E a distance of 180.0 feet, thence S 01 degree 38' E a distance of 608.5 feet, thence S 83 degrees 54' E a distance of 2,323.6 feet to a point on the east line of said NE 1/4, thence north along the east line of said NE 1/4 to the NE corner of said NE 1/4 a distance of 1,503.5 feet, thence west

along the north line of said NE 1/4 a distance of 2,142.3 feet to the point of beginning.

Containing 73.09 acres more or less.

Laws 1972, c. 100, § 6, operative April 1, 1972.

§72-227. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-228. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-229. Veterans Center at Talihina - Establishment - Employees.

A. Until operations are transferred pursuant to subsection B of this section, there is hereby established, in addition to the Oklahoma Veterans Centers established by Sections 221 and 226 of this title, the Oklahoma Veterans Center at Talihina, Oklahoma, on the site of the Oklahoma State Sanatorium, Talihina, Oklahoma. All persons serving as employees of the Oklahoma State Sanatorium under the provisions of the State Merit System of Personnel Administration shall continue to serve as employees of the Oklahoma Veterans Center at Talihina, provided that such employees remain in the classified service. All employees hired by the Oklahoma Veterans Center at Talihina on or after the effective date of this act shall be under the Oklahoma Merit System of Personnel Administration, except one manager, one principal assistant or deputy, one private secretary, part-time physicians and other professional personnel engaged in clinical and consultant services. The average number of full-time-equivalent employees utilized in the total operation of the Oklahoma Veterans Center, Talihina, shall not exceed one hundred fifty-three (153) during the fiscal year ending June 30, 1976. The buildings, equipment and land under the jurisdiction of the Oklahoma State Sanatorium, Talihina, are hereby transferred to the Oklahoma Veterans Center, Talihina.

B. Operations of the Oklahoma Veterans Center established pursuant to this section shall continue until such time as operations are transferred to the location identified pursuant to the authority conferred upon the Oklahoma Veterans Commission under Section 2 of this act.

Added by Laws 1975, c. 255, § 1, operative July 1, 1975. Amended by Laws 2018, c. 100, § 3.

§72-229.1. Authority to plan, develop and construct Oklahoma veterans facilities.

A. The Oklahoma Department of Veterans Affairs is authorized to plan, develop and construct two long-term care facilities for the following purposes:

1. To assume the operations of the Oklahoma Veterans Center established in Talihina pursuant to Section 229 of this title; and

2. To replace the Oklahoma Veterans Center established in Ardmore pursuant to Section 221 of this title.

B. For the two long-term care facilities authorized in subsection A of this section, the Department may construct new facilities or refurbish any existing facilities on property currently owned by the State of Oklahoma or on property purchased or donated from other sources, including but not limited to private owners, tribal entities or other governmental or municipal entities.

C. The location of the facility referenced in paragraph 1 of subsection A of this section shall be subject only to such geographical constraints as are imposed by the United States Department of Veterans Affairs to preserve and continue recognition and certification of the facility as a State Veterans Home. The facility referenced in paragraph 2 of subsection A of this section shall be located within the corporate limits of the city of Ardmore or within five (5) miles of the corporate limits of the city of Ardmore.

D. The locations and sites of the two facilities referenced in subsection A of this section shall be determined by the Oklahoma Veterans Commission. The Oklahoma Veterans Commission may consider any and all criteria which, in its sole discretion, further the interests of Oklahoma veterans.

E. Operations of the Oklahoma Veterans Center established in Talihina pursuant to Section 229 of this title shall continue until such time as its operations are transferred to the location identified pursuant to the authority conferred upon the Oklahoma Veterans Commission under subsection D of this section.
Added by Laws 2018, c. 100, § 2. Amended by Laws 2019, c. 502, § 2, eff. July 1, 2019.

§72-230. Repealed by Laws 1980, c. 68, § 1, emerg. eff. April 10, 1980.

§72-231. Repealed by Laws 1980, c. 68, § 1, emerg. eff. April 10, 1980.

§72-232. Repealed by Laws 1980, c. 68, § 1, emerg. eff. April 10, 1980.

§72-233. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-234. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-235. Repealed by Laws 1980, c. 68, § 1, emerg. eff. April 10, 1980.

§72-236. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-237. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-238. Repealed by Laws 1981, c. 254, § 15, operative July 1, 1981.

§72-239. Repealed by Laws 1988, c. 234, § 6, operative July 1, 1988.

§72-240. Petty cash funds.

There is hereby created a petty cash fund at the Oklahoma Department of Veterans Affairs, at the Oklahoma Veterans Center, Ardmore, Oklahoma, at the Oklahoma Veterans Center, Clinton, Oklahoma, at the Oklahoma Veterans Center, Sulphur, Oklahoma, at the Oklahoma Veterans Center, Talihina, Oklahoma, at the Oklahoma Veterans Center, Norman, Oklahoma, at the Oklahoma Veterans Center, Claremore, Oklahoma, and at the Oklahoma Veterans Center, Lawton/Ft. Sill, Oklahoma. The Director of the Office of Management and Enterprise Services and the Director of the Oklahoma Department of Veterans Affairs are authorized to fix the maximum amount of these petty cash funds and the Director of the Office of Management and Enterprise Services shall prescribe the rules and procedures for the administration of these petty cash funds.

Added by Laws 1981, c. 254, § 8, operative July 1, 1981. Amended by Laws 1988, c. 234, § 5, operative July 1, 1988; Laws 1992, c. 312, § 3, eff. Sept. 1, 1992; Laws 2001, c. 20, § 2, eff. July 1, 2001; Laws 2012, c. 304, § 655.

§72-241. State Accrediting Agency - Members - Contracts with federal agencies.

There is hereby re-created to continue until July 1, 2018, in accordance with the Oklahoma Sunset Law, the State Accrediting Agency, which hereafter shall be composed of the State Superintendent of Public Instruction, or designee, the State Director of the Oklahoma Department of Career and Technology Education, or designee, the Chancellor of the Oklahoma State Regents for Higher Education, or designee, and two honorably discharged war veterans, who are and shall be appointed by, and hold office at the pleasure of, the Governor. This entity shall be the "state approving agency" referred to in the Veterans' Readjustment Assistance Act of 1952 (Public Law 550 - 82nd Congress), and shall have authority, on behalf of the State of Oklahoma, to enter into and carry out contracts with the

U.S. Department of Veterans Affairs, Secretary of Veterans Affairs, or any other federal agency, under the provisions of the Servicemen's Readjustment Act of 1944 (Public Law 346 - 78th Congress), as amended, and the Veterans' Readjustment Assistance Act of 1952 (Public Law 550 - 82nd Congress), and any other federal law, for the approval of courses of on-the-job training, institutional on-farm training, apprentice training, war veterans' educational programs, or any other veterans' training programs authorized by federal law, and for other services authorized or required by the U.S. Department of Veterans Affairs, Secretary of Veterans Affairs, or other federal agencies, in connection with any such training or programs; and all such contracts that have heretofore been made or entered into by the State Accrediting Agency, which agency has been performing functions herein specified in this state, are hereby validated and approved, and shall continue in effect according to the terms and provisions thereof.

Added by Laws 1953, p. 401, § 1, emerg. eff. May 18, 1953. Amended by Laws 1983, c. 176, § 2, emerg. eff. June 7, 1983; Laws 1989, c. 60, § 1, operative July 1, 1989; Laws 1995, c. 12, § 1; Laws 2001, c. 8, § 1; Laws 2007, c. 18, § 1; Laws 2013, c. 297, § 1; Laws 2017, c. 293, § 1.

§72-242. Officers - Rules and regulations - Qualifications and duties of staff.

The State Accrediting Agency shall:

(a) Select its officers from its membership.

(b) Adopt necessary rules governing its proceedings.

(c) Be authorized to appoint and fix the compensation of a director, shall employ and fix the duties and compensation of such clerical or other assistants necessary to effectuate the provisions of Sections 241 and 242 of this title, and approve all expenditures. The Agency shall elect officers annually. Except as provided in Sections 840.8 and 840.10 of Title 74 of the Oklahoma Statutes, all officers, positions and employees of the State Accrediting Agency shall be subject to the provisions of the Merit System of Personnel Administration as created by the Oklahoma Personnel Act, Section 840.1 et seq. of Title 74 of the Oklahoma Statutes and the rules promulgated thereunder. Nothing contained herein shall change the classified or unclassified status of any person employed by the State Accrediting Agency on the effective date of this act.

Added by Laws 1953, p. 402, § 2, emerg. eff. May 18, 1953. Amended by Laws 1983, c. 176, § 3, emerg. eff. June 7, 1983; Laws 1994, c. 333, § 2, emerg. eff. June 8, 1994.

§72-243. Repealed by Laws 1988, c. 234, § 6, operative July 1, 1988.

§72-261. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.

§72-262. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-263. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-264. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-265. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-266. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-267. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-268. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-269. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-270. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-271. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-272. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-273. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-274. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-275. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-276. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-277. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.
§72-278. Repealed by Laws 1975, c. 5, § 1, emerg. eff. Feb. 7, 1975.

§72-301. Short title.

This act may be cited as the "Oklahoma G. I. Bill".
Laws 1974, c. 181, § 1, emerg. eff. May 14, 1974.

§72-302. Tuition-free career and technology education - Exception.

Any Oklahoma veteran, or the child of any Oklahoma veteran who is missing in action or a prisoner of war, shall be entitled to attend any state-supported technology center school in the State of Oklahoma operating under the State Board of Career and Technology Education without the payment of tuition. The Oklahoma State University Institute of Technology-Okmulgee shall be excluded from the provisions of this act.

Added by Laws 1974, c. 181, § 2, emerg. eff. May 14, 1974. Amended by Laws 2001, c. 33, § 163, eff. July 1, 2001; Laws 2008, c. 54, § 7, eff. July 1, 2008.

§72-303. Eligibility of veterans.

In order for a veteran to qualify for the benefits provided in this act, the applicant must:

1. Have an honorable discharge from the armed forces of the United States of America;
2. Have served a minimum of eighteen (18) consecutive months' active duty between the dates of August 10, 1964, and December 31, 1976, or shall have been discharged with a service-connected disability;
3. Be able to establish that he or she was a bona fide resident of the State of Oklahoma at the time of entry into the military service;
4. Accept the benefits of free tuition within fifteen (15) years following his discharge or release from the armed forces; and
5. Satisfy the entrance and eligibility requirements imposed by the technology center school.

Added by Laws 1974, c. 181, § 3, emerg. eff. May 14, 1974. Amended by Laws 1979, c. 96, § 1, emerg. eff. April 24, 1979; Laws 1986, c. 252, § 1, eff. Nov. 1, 1986; Laws 2001, c. 33, § 164, eff. July 1, 2001.

§72-304. Number of months.

Each qualified veteran shall be entitled to one (1) month's tuition-free schooling for each month of active duty service between the dates of August 10, 1964, and December 31, 1976, with a maximum of thirty-six (36) months tuition-free schooling. Time spent in reserve status with the Oklahoma National Guard or various other reserve components of the United States Military shall not be considered as active duty time.

Laws 1974, c. 181, § 4, emerg. eff. May 14, 1974; Laws 1979, c. 96, § 2, emerg. eff. April 24, 1979.

§72-305. Eligibility of descendants of servicemen.

A. To qualify for the benefits of free tuition the descendant of a serviceman must:

1. Prove his relationship to the missing or captured parent; and
2. Satisfy the entrance and eligibility requirements imposed by the technology center school.

B. Free tuition shall not exceed a period of more than thirty-six (36) months for qualified descendants; however, tuition shall be available only while the parent of the descendant is missing in action or a prisoner of war or until the descendant reaches the age of twenty-three (23) years, whichever is the shorter period of time.

Added by Laws 1974, c. 181, § 5, emerg. eff. May 14, 1974. Amended by Laws 2001, c. 33, § 165, eff. July 1, 2001.

§72-306. Quota system.

In the event that any technology center school is being seriously handicapped in its ability to provide an education or training for all of its students as a result of a disproportionate amount of tuition-free students, then the administrative officer of such school shall certify as to the handicapped condition to the State Board of Career and Technology Education who shall be permitted to establish a quota system for the institution. A schedule of guidelines and priorities shall be established for taking students, as well as limiting the number of tuition-free students who may enroll. The excess number of applicants may enroll in some other state-supported technology center school which has not reached a critical level of tuition-free students.

Added by Laws 1974, c. 181, § 6, emerg. eff. May 14, 1974. Amended by Laws 2001, c. 33, § 166, eff. July 1, 2001.

§72-307. Benefits prohibited in certain instances.

Any person whose tuition is paid directly to the institution by any other governmental agency shall not be entitled to the benefits of this act.

Laws 1974, c. 181, § 7, emerg. eff. May 14, 1974.

§72-350. Definitions.

As used in this act:

1. "Veteran" means a person who was a resident of this state at the time of his induction into the Armed Forces of the United States of America, or was a resident of this state as of January 1, 1981, and is currently a resident of this state, who served in Vietnam, Cambodia or Laos during the Vietnam Conflict;

2. "Agent Orange" means the herbicide composed primarily of trichlorophenoxyacetic acid (2,4,5 T) and dichlorophenoxyacetic acid (2,4 D) and its contaminant tetrachlorodibenzo-para-dioxin (dioxin, TCDD);

3. "Department" means the State Department of Health;

4. "Resident of this state" means a person who has any one of the following:

- a. a valid Oklahoma driver's license,
- b. an automobile registered within the state,
- c. a valid Oklahoma voter identification card, or
- d. any other valid identification as determined by the Department;

5. "Committee" means the Agent Orange Outreach Committee; and

6. "Commissioner" means the Commissioner of Health.

Added by Laws 1982, c. 50, § 1, emerg. eff. March 29, 1982.

§72-351. Report of veterans who may have been exposed to certain defoliants or herbicides - Report form.

A. A physician or other qualified health care professional who has primary responsibility for treating a veteran who believes the veteran may have been exposed to chemical defoliants or herbicides or other causative agents, including Agent Orange, while serving in the Armed Forces of the United States, shall, at the request of the veteran, submit a report to the Department on a form provided by the Department. If there is no physician or other qualified health care professional having primary responsibility for treating the veteran, the hospital or other medical facility treating the veteran shall, at the request of the veteran, submit the report to the Department.

B. The form provided by the Department to the physician or other qualified health care professional or hospital or other medical facility shall request the following information:

1. Symptoms of the veteran which may be related to exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange;

2. Diagnoses of the veteran; and

3. Methods of treatment prescribed.

C. The Department may require the veteran to provide such other information as determined by the Commissioner.

Added by Laws 1982, c. 50, § 2, emerg. eff. March 29, 1982.

§72-352. Compilation, evaluation and distribution of information.

A. The Department, with the assistance of the Committee, shall compile and evaluate information received and actions taken pursuant to this act in a report to be distributed annually to the Governor, to the members of the Legislature and other interested institutions or groups.

B. The Department must obtain consent from each veteran or individual examined pursuant to Section 9 of this act. All information obtained from a veteran or individual shall be confidential and shall only be used for purposes of the study. The Department shall compile and evaluate information obtained from these studies in a report to be distributed as provided by subsection A of this section.

C. The Department may request and shall receive from any state agency such assistance and data as is necessary for the Department to carry out the provisions of this act. The Department may enter into a contract for services necessary to carry out the provisions of this act.

Added by Laws 1982, c. 50, § 3, emerg. eff. March 29, 1982.

§72-353. Identity of veteran not to be disclosed - Exception - Statistical information.

The identity of a veteran, the subject of a report made under the provisions of Section 2 or 3 of this act, may not be disclosed unless the veteran consents to the disclosure. Statistical information collected under this act is public information.

Added by Laws 1982, c. 50, § 4, emerg. eff. March 29, 1982.

§72-354. Privileges and immunities.

A physician or other qualified health care professional or a hospital or other medical facility, subject to this act, who complies with this act may not be held civilly or criminally liable for providing the information required by this act.

Added by Laws 1982, c. 50, § 5, emerg. eff. March 29, 1982.

§72-355. Attorney General to represent veterans in certain class actions.

The Attorney General may represent a class of individuals composed of veterans who may have been injured because of contact with chemical defoliants or herbicides or other causative agents, including Agent Orange, in a suit for release of information relating to exposure to such chemicals during military service and for release of individual medical records.

Added by Laws 1982, c. 50, § 6, emerg. eff. March 29, 1982.

§72-356. Certain state health and medical facilities to cooperate in referring and screening certain veterans - Rules and regulations.

A. The Department and the health science centers and other medical facilities of the University of Oklahoma, Children's Hospital of Oklahoma, Oklahoma Memorial Hospital or the Oklahoma College of Osteopathic Medicine shall institute a cooperative program to:

1. Refer veterans to appropriate state and federal agencies for the purpose of filing claims to remedy medical and financial problems caused by the veteran's exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange; and

2. Initiate an education program for health professionals on the detection, diagnosis and treatment of the symptoms associated with exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange.

B. The Commissioner shall adopt rules necessary to the administration of the programs authorized by this section.

Added by Laws 1982, c. 50, § 7, emerg. eff. March 29, 1982. Amended by Laws 1988, c. 326, § 37, emerg. eff. July 13, 1988.

§72-357. Referral and screening functions to be discontinued under certain conditions.

If the Commissioner determines that an agency of the federal government is performing the referral and screening functions required by Section 7 of this act, the Commissioner may discontinue

any program required by this act or any duty required of a physician or hospital or other medical facility under this act.

Added by Laws 1982, c. 50, § 8, emerg. eff. March 29, 1982.

§72-358. Agent Orange Outreach Committee - Powers and duties.

A. The Agent Orange Outreach Committee is hereby created under the direction of the Department. The Committee shall be composed of at least seven (7) members, two of whom shall be Vietnam veterans and one a Vietnam era veteran. The other members shall be health care professionals with demonstrated skills in those areas related to toxic chemical contamination. The members of the Committee shall be appointed by the Commissioner for a term of two (2) years. Members may be removed for cause and vacancies shall be filled in the same manner as provided for original appointments. The members shall receive no compensation except for reimbursement for their actual and necessary expenses as provided in the State Travel Reimbursement Act.

B. The Committee shall have the following duties:

1. To advise the Commissioner in developing and conducting an outreach program to identify and inform veterans of the possible detrimental effects of exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange;
2. To obtain and disseminate medical, scientific, epidemiological and any other data on the effects of exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange, by veterans;
3. To determine medical, administrative and social services available to veterans exposed to chemical defoliants or herbicides or other causative agents, including Agent Orange, and provide all necessary referral services;
4. To refer veterans to the appropriate health care professionals or medical institution for diagnosis of signs and symptoms related to exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange;
5. To recommend to the Commissioner procedures for the design and implementation of an epidemiological study related to exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange;
6. To coordinate activities with other states providing veterans with similar programs related to chemical defoliants or herbicides or other causative agents, including Agent Orange;
7. To determine the availability of federal and private funds to offset state expenses in assisting veterans in an outreach program; and
8. To determine the costs of travel and medical or epidemiological tests or diagnostic procedures incurred by veterans pursuant to the provisions of this act and to recommend financial

compensation for any affected veteran to be provided by the Department.

The Committee may request and shall receive any necessary data or assistance of any state or local entity to carry out the duties of the Committee.

The Attorney General, at the request of the Committee, shall obtain through the Freedom of Information Act the location of veterans in Oklahoma for purposes of identifying veterans who may have been exposed to chemical defoliants or herbicides or other causative agents, including Agent Orange.

Added by Laws 1982, c. 50, § 9, emerg. eff. March 29, 1982.

§72-360. Definitions.

As used in this act:

1. "Veteran" means a person who is currently a resident of this state, who served on and after August 2, 1990, during the Gulf War in the southwest Asia theater of operations, which includes Iraq, Kuwait, Saudi Arabia, the neutral zone between Iraq and Saudi Arabia, Bahrain, Qatar, the United Arab Emirates, Oman, the Gulf of Aden, the Gulf of Oman, the Persian Gulf, the Arabian Sea, the Red Sea, and the airspace above these locations;

2. "Department" means the State Department of Health;

3. "Resident of this state" means a person who has any one of the following:

a. a valid Oklahoma driver license or license for identification only,

b. a motor vehicle registered within the state,

c. a valid Oklahoma voter identification card, or

d. any other valid identification as determined by the Department;

4. "Committee" means the Gulf War Syndrome Outreach Committee;

5. "Commissioner" means the State Commissioner of Health; and

6. "Board" means the State Board of Health.

Added by Laws 1997, c. 52, § 1, eff. July 1, 1997.

§72-361. Report of veterans who may have been exposed to certain causative agents during the Gulf War - Report form.

A. A physician or other qualified health care professional who has primary responsibility for treating a veteran and who believes the veteran may have been exposed to certain causative agents while serving in the Armed Forces of the United States during the Gulf War, shall, with the consent of the veteran, submit a report to the Department on a form provided by the Department. If there is no physician or other qualified health care professional having primary responsibility for treating the veteran, the hospital or other medical facility treating the veteran shall, with the consent of the veteran, submit the report to the Department.

B. The form provided by the Department to the physician or other qualified health care professional or hospital or other medical facility shall request the following information:

1. Symptoms of the veteran which may be related to exposure to causative agents during the Gulf War;
2. Diagnoses of the veteran; and
3. Methods of treatment prescribed.

Added by Laws 1997, c. 52, § 2, eff. July 1, 1997.

§72-362. Compilation, evaluation and distribution of information.

A. The Department, with the assistance of the Committee, shall compile and evaluate information received from and actions taken by the physician or other qualified health care professional, or a hospital or other health care facility, in a report to be distributed annually to the Governor, the Legislature, the Oklahoma Department of Veterans Affairs and, upon request, to other interested parties.

B. All information obtained from a veteran or individual shall be confidential and shall only be used for purposes of the study.

C. The Department may request and shall receive from any state agency such assistance and data as is necessary for the Department to implement the provisions of this act.

D. The identity of a veteran, the subject of a report made pursuant to the provisions of this act, may not be disclosed unless the veteran consents to the disclosure. Statistical information collected pursuant to this act is public information.

Added by Laws 1997, c. 52, § 3, eff. July 1, 1997.

§72-363. Privileges and immunities.

A physician or other qualified health care professional or a hospital or other medical facility, subject to this act, who complies with this act may not be held civilly or criminally liable for providing the information required by this act.

Added by Laws 1997, c. 52, § 4, eff. July 1, 1997.

§72-364. Gulf War Syndrome Outreach Committee - Powers and duties.

A. The Gulf War Syndrome Outreach Committee is hereby created under the direction of the Department. The Committee shall be composed of at least seven (7) members, two of whom shall be Gulf War veterans, one a Gulf War era veteran, and one the Director of the Oklahoma Department of Veterans Affairs, or designee, for a term commensurate with his or her term of appointment as Director. The other members shall be health care professionals with demonstrated skills in those areas related to toxic chemical and other causative agent contamination. The members of the Committee shall be appointed by the Commissioner for terms of two (2) years. Members may be removed for cause and vacancies shall be filled in the same manner as provided for original appointments. The members shall receive no

compensation except for travel reimbursement for their actual and necessary expenses as provided for in the State Travel Reimbursement Act.

B. The Committee shall have the following duties:

1. To advise the Commissioner in developing and conducting an outreach program to identify and inform veterans of the possible detrimental effects of exposure to causative agents during the Gulf War;

2. To obtain and provide information, as specified in this act, on the medical, scientific, epidemiological and any other data on the effects of exposure to causative agents during the Gulf War by veterans;

3. To provide veterans with a list of the appropriate health care professionals or medical institutions for diagnosis of signs and symptoms related to exposure to causative agents during the Gulf War; and

4. To confer with other states conducting similar studies related to causative agents during the Gulf War.

The Committee may request and shall receive any necessary data or assistance of any state agency to carry out the duties of the Committee.

The Oklahoma Department of Veterans Affairs, at the request of the Committee, shall obtain through the Freedom of Information Act the location of veterans in Oklahoma who served during the Gulf War for purposes of identifying veterans who may have been exposed to causative agents during the Gulf War.

Added by Laws 1997, c. 52, § 5, eff. July 1, 1997.

§72-365. Rulemaking.

The State Board of Health shall promulgate and adopt rules necessary for the administration of the study authorized by this act. Added by Laws 1997, c. 52, § 6, eff. July 1, 1997.

§72-401. Short title.

This act may be known and cited as the "Special Disabled Veterans Employment Act".

Added by Laws 1983, c. 175, § 1, emerg. eff. June 7, 1983.

§72-402. See the following versions:

OS 72-402v1 (HB 1984, Laws 1986, c. 252, § 2, effective **until** Nov. 1, 2020).

OS 72-402v2 (HB 1198, Laws 2017, c. 229, § 12, effective Nov. 1, 2020).

§72-402v1. Definitions.

THIS TEXT EFFECTIVE UNTIL NOV. 1, 2020. FOR TEXT EFFECTIVE BEGINNING NOV. 1, 2020, SEE OS 72-402v2.

As used in the Special Disabled Veterans Employment Act:

1. "Special disabled veterans" means those honorably discharged persons who:
 - a. meet the criteria for war veterans as set out in Section 67.13a of this title, and
 - b. have a service-connected disability rated at thirty percent (30%) or more by the Veterans Administration or the Armed Forces of the United States, and
 - c. have been a resident of Oklahoma for at least one (1) year prior to the date of the examination; and

2. "Agency" means any office, department, board, commission or institution of the state government.

Added by Laws 1983, c. 175, § 2, emerg. eff. June 7, 1983. Amended by Laws 1986, c. 252, § 2, eff. Nov. 1, 1986.

§72-402v2. Definitions.

THIS TEXT EFFECTIVE BEGINNING NOV. 1, 2020. FOR TEXT EFFECTIVE UNTIL NOV. 1, 2020, SEE OS 72-402v1.

As used in the Special Disabled Veterans Employment Act:

1. "Special disabled veterans" means those honorably discharged persons who:
 - a. meet the criteria for war veterans as set out in Section 67.13a of this title,
 - b. have a service-connected disability rated at thirty percent (30%) or more by the Veterans Administration or the Armed Forces of the United States,
 - c. have been a resident of Oklahoma for at least one (1) year prior to the date of the examination, and
 - d. are registered with the veterans registry created by the Oklahoma Department of Veterans Affairs; and

2. "Agency" means any office, department, board, commission or institution of the state government.

Added by Laws 1983, c. 175, § 2, emerg. eff. June 7, 1983. Amended by Laws 1986, c. 252, § 2, eff. Nov. 1, 1986; Laws 2017, c. 229, § 12, eff. Nov. 1, 2020.

§72-403. Exemption from entrance examinations and hiring procedures - Probationary period - Permanent status.

A. Oklahoma state agencies are hereby authorized to employ special disabled veterans who are legal residents of the state in competitive and noncompetitive jobs. Such veterans shall be exempt from entrance examinations and hiring procedures administered by the Office of Management and Enterprise Services pursuant to Sections 840-4.12 and 840-4.13 of Title 74 of the Oklahoma Statutes.

B. Special disabled veterans hired pursuant to subsection A of this section shall be appointed for a probationary period of one (1) year, except that the appointing authority may waive in writing the

remainder of the probationary period at any time after a probationary employee has served six (6) months; provided, however, that the disabled veteran and the Director of the Office of Management and Enterprise Services shall be notified in writing as to such action and the reason therefor. At the end of the probationary period and if the work of said veterans is satisfactorily performed, the veterans shall acquire permanent status.

C. Upon acquiring permanent status, special disabled veterans shall be subject to the rules and regulations of the Office of Management and Enterprise Services.

Added by Laws 1983, c. 175, § 3, emerg. eff. June 7, 1983. Amended by Laws 1993, c. 83, § 1, emerg. eff. April 18, 1993; Laws 2001, c. 381, § 26, eff. July 1, 2001; Laws 2012, c. 304, § 656.

§72-404. Reporting names of employed special disabled veterans.

Names of special disabled veterans employed by state agencies pursuant to this act shall be reported to the Office of Management and Enterprise Services who shall record the names and report the total number of such veterans so employed in the annual report for the Office of Management and Enterprise Services required by Section 840-1.6A of Title 74 of the Oklahoma Statutes.

Added by Laws 1983, c. 175, § 4, emerg. eff. June 7, 1983. Amended by Laws 1998, c. 364, § 26, emerg. eff. June 8, 1998; Laws 2012, c. 304, § 657.

§72-410. Oklahoma Veteran Housing Program Act.

This act shall be known and may be cited as the "Oklahoma Veteran Housing Program Act".

Added by Laws 2015, c. 185, § 1, eff. July 1, 2015.

§72-411. Oklahoma Veteran Housing Program Revolving Fund.

There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Veterans Affairs to be designated the "Oklahoma Veteran Housing Program Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Department of Veterans Affairs in the form of donations, appropriations or other monies for such fund. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of providing grants to eligible veterans as provided by law. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

Added by Laws 2015, c. 185, § 2, eff. July 1, 2015.

§72-412. Special housing grant program for disabled veterans.

A. Subject to the availability of funds, the Oklahoma Department of Veterans Affairs shall develop a special housing grant program, not to exceed Five Thousand Dollars (\$5,000.00) per veteran, for the purpose of bearing the costs not borne by the federal government for a specifically designed home for disabled veterans. To qualify for a special housing grant, all of the following shall be met:

1. The veteran shall be approved for the federal grant under the United States Department of Veterans Affairs' Specially Adapted Housing program;

2. The veteran shall have been a resident of the state before entering active service with the armed forces;

3. The veteran shall be physically residing in the state at the time the federal grant is approved, as well as at the time the application for the grant and receipt of the state grant are made;

4. The veteran's home shall be used for the purpose of establishing permanent, and not temporary, residency in the state;

5. The home the veteran is remodeling or purchasing shall be in the state;

6. The veteran shall formally apply for the grant by completing the form designated by the Oklahoma Department of Veterans Affairs;

7. The Oklahoma Department of Veterans Affairs shall verify statements to establish that the veteran meets the eligibility requirements for the grant; and

8. The application shall be approved by the Director of the Oklahoma Department of Veterans Affairs.

B. In no event shall the state pay a qualified veteran a share greater than the federal government toward the purchase or remodeling of such home.

C. The state grant shall be disbursed to the veteran in the care of the United States Department of Veterans Affairs regional office to be placed in escrow. This disbursement shall be made only when the federal grant has been approved and the United States Department of Veterans Affairs is ready to complete the escrow agreement and authorize the construction, purchase or remodeling of the specially designed home for the disabled veteran.

D. The special housing grant shall be made to a veteran only once.

E. Each awarded special housing grant shall be paid from the Oklahoma Veteran Housing Program Revolving Fund to the extent funds are available.

F. The veteran may also apply for the special housing grant if he or she has previously exhausted his or her United States Department of Veterans Affairs' Specially Adopted Housing program benefits.

Added by Laws 2015, c. 185, § 3, eff. July 1, 2015.

NOTE: Editorially renumbered from § 412 of Title 63 for consistency in numbering.

§72-421. Oklahoma Veterans Registry.

A. The Oklahoma Department of Veterans Affairs shall create and maintain a registry of all veterans in this state by January 1, 2020, which shall be titled the "Oklahoma Veterans Registry". The registry shall include the following information regarding the veteran:

1. Name;
2. Military rank and branch of service;
3. Dates of service;
4. Percentage of service-connected disability, if applicable;
5. Date of death and place of interment, if applicable; and
6. Name of the veteran's spouse, if applicable.

B. As a component of the veterans registry created pursuant to subsection A of this section, the Oklahoma Department of Veterans Affairs shall designate those veterans within the registry as one hundred percent (100%) service-disabled Oklahoma veterans, if applicable. The registry designation shall also be maintained as a separate list within the registry for all one hundred percent (100%) service-disabled Oklahoma veterans. The Department shall be responsible for verification of all information provided through the registry and shall verify veteran service disability status at least once every four (4) years.

C. The Oklahoma Department of Veterans Affairs may promulgate rules for implementing the provisions of this section.

D. For purposes of this section, "veteran" shall have the same meaning as specified in Section 2 of this title.

Added by Laws 2017, c. 229, § 1, eff. Nov. 1, 2017. Amended by Laws 2017, c. 387, § 1, eff. Nov. 1, 2017; Laws 2019, c. 124, § 1, eff. Nov. 1, 2019.

§72-422. Oklahoma Women Veterans Program.

A. In this article, unless the context otherwise requires:

1. "Department" means the Oklahoma Department of Veterans Affairs;

2. "Executive Director" means the Executive Director of the Oklahoma Department of Veterans Affairs;

3. "Program" means the Oklahoma Women Veterans Program; and

4. "Woman veteran" means a woman who served on active duty in the armed forces of the United States or in the Oklahoma National Guard on federal active duty under Title 10 U.S.C., and was discharged or released from that service under conditions other than dishonorable.

B. The Oklahoma Department of Veterans Affairs shall establish the Oklahoma Women Veterans Program. The program shall be housed within the office of the Executive Director. The mission of the program shall be to ensure that women veterans in the State of Oklahoma have equitable access to federal and state veterans' benefits and services. The Executive Director shall designate a women veterans coordinator for the State of Oklahoma.

1. The program shall:

a. provide assistance to the women veterans of the state as provided by this section,

b. perform outreach functions to improve the awareness of women veterans regarding eligibility for federal and state veterans' benefits and services,

c. assess the needs of women veterans with respect to benefits and services,

d. review programs, research projects, and other initiatives designed to address the needs of the women veterans of the state,

e. make recommendations to the Executive Director regarding the improvement of benefits and services to women veterans, and

f. incorporate issues concerning women veterans in Department planning regarding veterans' benefits and services.

2. The program shall advocate for women veterans and work to increase public awareness about the gender-specific needs of women veterans. The program shall recommend legislative initiatives and

the development of policies on the local, state and national levels to address the issues affecting women veterans. The program shall collaborate with federal, state, county and municipal governments and with private organizations that provide services to women veterans.

The program shall monitor and research issues relating to women veterans. The program shall disseminate information regarding opportunities for women veterans throughout the network of entities with which the program collaborates.

Through conferences, seminars and training workshops with federal, state, county and municipal governments and with private organizations, the program shall provide guidance and direction to women veterans who are applying for grants, benefits or services. The program shall provide facilities and staff as appropriate in support of the program.

C. On behalf of the program, the Department may:

1. Accept and spend funds:

- a. appropriated to the Department for the operation of the program, and
- b. received from other sources, including donations and grants; and

2. Provide matching grants to assist in the implementation of the program's goals and objectives.

D. Not later than November 1 of each even-numbered year, the Department shall submit to the Governor, Lieutenant Governor, Oklahoma Veterans Commission and the Legislature a report on women veterans in this state.

The report may be delivered electronically, and shall:

1. Estimate the number of women veterans in this state;
2. Report the number of women veterans who contact the

Department for assistance;

3. Identify the unique problems faced by women veterans; and

4. Recommend policy proposals, initiatives and funding levels to address the problems identified.

E. The Oklahoma Veterans Commission is authorized to promulgate rules to implement the provisions of this section.

Added by Laws 2018, c. 132, § 1, eff. Nov. 1, 2018.

§72-440. Acceptance of gifts, donations, bequests, grants or contracts.

A. The Oklahoma Department of Veterans Affairs may accept and receive any and all gifts, donations, devices, bequests, grants or contracts of any kind for money or property, either real or personal including but not limited to military memorabilia, artifacts or equipment, whether conditionally or unconditionally given.

B. The Department is directed, authorized and empowered to hold such funds or property outright or in trust, invest or sell the property, and to use the principal or interest or proceeds of sale

for the benefit of current or future Veterans programs, facility construction, repair or improvements or departmental operations.

C. The Department shall utilize its best efforts to comply with the terms of any conditional gift, devise or bequest in fulfillment of the donor's stipulations and provisions of applicable laws. Any real or personal property donated with conditions which are at any time determined infeasible to meet or continue may be returned to the donor, or if the donor is no longer living, if a natural person, or no longer a legally organized entity, for organizations, then the property may be sold and the proceeds of the sale deposited in the Department's general fund or the property may be further donated in kind to a veterans' service organization.

D. No administrator shall provide any preferential consideration to a potential resident of any Oklahoma state veterans homes in the course of the application and admission process due to any prior or pledged gift, devise or bequest of any money or property given or donated by the potential veteran resident or immediate family member of the potential veteran resident.

Added by Laws 2018, c. 133, § 1, eff. Nov. 1, 2018.

§72-450. Administrative leave.

A. Any employee of the Oklahoma Department of Veterans Affairs may be granted administrative leave with pay for volunteer service activities, under such terms and limitations as the Executive Director may establish, in service to veterans or dependents of veterans in the State of Oklahoma, which activities meet one or more of the following criteria:

1. The activity is directly related to the Department's mission;
2. The activity is sponsored or sanctioned by or in partnership with the Department; or
3. The activity will enhance the development or skills of the employee in his or her current position.

B. Leave shall be as brief as permitted under the circumstances and shall not support an activity otherwise prohibited by law while in a duty status.

C. The Executive Director shall establish guidelines for approval of administrative leave for volunteer service authorized hereunder which balances the Department's goals and operations and ensures that each is conducted efficiently and effectively.

Added by Laws 2018, c. 166, § 1, eff. Nov. 1, 2018.