



OFFICE OF

No. SB 1196

THE GOVERNOR
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA., March 12, 2024

TIME SIGNED: 3:10 pm

TO THE HONORABLE PRESIDENT PRO TEMPORE
AND MEMBERS OF THE OKLAHOMA SENATE
SECOND REGULAR SESSION OF THE
FIFTY-NINTH OKLAHOMA LEGISLATURE

ENROLLED SENATE BILL NO. 1196:

Pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution, I have vetoed Enrolled Senate Bill 1196.

Enrolled Senate Bill 1196 is duplicative and unnecessary. Even if Secretaries in the Governor's cabinet were officers under a dual office holding analysis, Oklahoma law already provides for them to simultaneously serve as agency heads.

A person is not prohibited from simultaneously holding more than one office if either: (1) 51 O.S. § 6 specifically exempts them *or* (2) where the law elsewhere provides an exception. In the case of cabinet Secretaries, there is an exception elsewhere and Oklahoma governors have long operated accordingly. Secretaries' ability to also serve as agency heads is covered in 74 O.S. § 10.3, which provides, in relevant part:


A cabinet Secretary may be . . . appointed as a cabinet Secretary from among the agency heads within the cabinet area.

[T]he appointment or removal of a cabinet Secretary who is also an agency head shall not otherwise affect the status of the other duties of the agency head.

While I appreciate the floor amendment author's well-meaning attempt to ensure that a great public servant is spared from potential ripple effects of an Attorney General Opinion, the Secretary of Agriculture and all other cabinet Secretaries who also serve as agency heads can maintain their posts pursuant to the law as it already is. I trust a court of law will soon resolve this issue, so any confusion created by an Attorney General Opinion that disrupted decades-long precedent can be mitigated.

For these reasons, I have vetoed Enrolled Senate Bill 1196.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



Delivered to SENATE by: Jeri Glauert
Date/Time: 3-12-24 3:30 pm

SENATE:
By B. Rogers
Date/Time 3-12-24 3:30 PM

RECEIVED
MAR 12 2024
OKLAHOMA SECRETARY
OF STATE
@3:51 pm