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STATE OF OKLAHOMA  
PONTOTOC, SEMINOLE AND HUGHES COUNTIES

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The Honorable John M. O'Conner  
Oklahoma Attorney General  
313 Northeast 21st Street  
Oklahoma City, OK 73105

August 19, 2022

Original Via Email: [ethan.shaner@oag.ok.gov](mailto:ethan.shaner@oag.ok.gov), [Julie.Pittman@oag.ok.gov](mailto:Julie.Pittman@oag.ok.gov)

RE: Requested A.G. Opinion Seeking to Reconcile 2008 OK AG 6 with the Application of SB 1119 to affected State Officers & Employees Concerning State employees seeking to answer the Call of SB 1119

Dear Attorney General O'Conner:

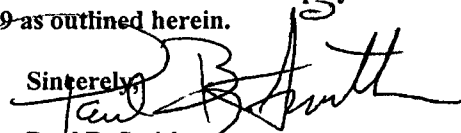
Please accept this letter of request for an official Attorney General Opinion regarding the application of Senate Bill 1119 to the ability of State officers and employees seeking to answer the call of SB 1119 to be the professionals envisioned by the bill "to step up and fill these critical teaching positions" or the Governors call for "all State employees to see what they can do to support in person learning" under previous executive orders.

In that regard, is a State officer and employee prohibited from serving as an Adjunct Teacher under SB 1119 because the same would violate Title 51 O.S. Section 6 Dual Office Holding provisions?

If so, how would a State Officer or employee ever be able to serve as an Adjunct Professor at an Oklahoma Institution of Higher learning as so many have already done over the history of our State?

Finally, Does the actual number of hours committed to an Adjunct teaching assignment whether in the public school setting or the public college teaching setting dictate weather the Constitutional provisions of giving personal attention to the office are violated; and if so how does that reconcile with 2008 OK AG 6 which provides that temporary absence or incapacity to perform the duties of an office does not constitute abandonment of the office or violate the duty of loyalty; inasmuch as the same is a question of Intent of the Office Holder and their conduct making it a question of fact?

Therefore, please accept this request for a formal Attorney General Opinion on the subject matter of Reconciling 2008 OK AG 6 with the Application of SB 1119 to affected State Officers & Employees Concerning State employees seeking to answer the Call of SB 1119 as outlined herein.

Sincerely,  
  
Paul B. Smith,  
District Attorney-District #22

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