

ENGROSSED SENATE
BILL NO. 164

BY: DICKERSON of the SENATE

and

BENSON of the HOUSE

AN ACT RELATING TO COUNTIES AND COUNTY OFFICERS;
AMENDING SECTION 14, CHAPTER 340, O.S.L. 1982, AS
AMENDED BY SECTION 8, CHAPTER 254, O.S.L. 1988 (19
O.S. SUPP. 1990, SECTION 215.34), WHICH RELATES TO
ASSISTANT DISTRICT ATTORNEYS; DELETING REQUIREMENT
FOR EACH COUNTY TO HAVE ONE ASSISTANT DISTRICT
ATTORNEY RESIDING IN THE COUNTY; AND DECLARING AN
EMERGENCY.

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

SECTION 1. AMENDATORY Section 14, Chapter 340, O.S.L.
1982, as amended by Section 8, Chapter 254, O.S.L. 1988 (19 O.S.
Supp. 1990, Section 215.34), is amended to read as follows:

Section 215.34 A. Effective January 1, 1983, full-time
assistants with less than one (1) year of experience in the general
practice of law or experience as a Supreme Court licensed full-time
intern in an internship with an Oklahoma district attorney's office
shall receive a salary of not more than fifty percent (50%) of the
salary of the district attorney of the district. Full-time
assistants with over one (1) but less than two (2) years of
experience shall receive not more than seventy percent (70%) nor

less than fifty percent (50%) of the salary of the district attorney of the district. Full-time assistants with over two (2) years of experience but less than three (3) years of experience shall receive not more than eighty percent (80%) nor less than fifty percent (50%) of the salary of the district attorney of the district. Full-time assistants with over three (3) years of experience shall receive a salary of not more than ninety percent (90%) and not less than fifty percent (50%) of the salary of the district attorney of the district; except that the designated first assistant with over three (3) years of experience may receive up to ninety-five percent (95%) of the salary of the district attorney. All assistant district attorneys who are paid in excess of fifty percent (50%) of the salary of the district attorney shall not engage in the private practice of law, but may complete pending cases of a civil nature, not in conflict with the interest of any county of the district in which he is appointed. No assistant district attorney permitted to practice law shall accept employment in a case investigated by the office of the district attorney.

B. Part-time assistants with less than one (1) year of experience in the general practice of law or experience as a Supreme Court licensed full-time intern in an internship with an Oklahoma district attorney's office shall receive forty percent (40%) prorated against the actual hours worked of the salary of the district attorney of the district. Part-time assistants with more than one (1) year of experience shall receive not more than a prorated fifty percent (50%) nor less than a prorated forty percent (40%) of the salary of the district attorney of the district.

~~C. Each county in the district shall have at least one assistant district attorney who shall reside in the county.~~

~~D.~~ Each assistant district attorney shall be at least twenty-one (21) years of age; a resident of the district, if required by the district attorney; and have a license to practice

law in the courts of record of this state at the time of his appointment. All assistant district attorneys shall serve at the pleasure of the district attorney.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 6th day of March, 1991.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1991.

Speaker of the House of Representatives