

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1628

BY: STEIDLEY

AS INTRODUCED

AN ACT RELATING TO COUNTIES AND COUNTY OFFICERS;

AMENDING SECTION 13, CHAPTER 340, O.S.L. 1982, AS
LAST AMENDED BY SECTION 10, CHAPTER 254, O.S.L.
1988 (19 O.S. SUPP. 1990, SECTION 215.32), WHICH
RELATES TO PERSONNEL OF THE OFFICE OF DISTRICT
ATTORNEY; REQUIRING NEWLY ELECTED DISTRICT
ATTORNEYS TO PROVIDE NOTIFICATION TO EMPLOYEES IF
EMPLOYMENT IS TO BE TERMINATED; REQUIRING
NOTIFICATION WITHIN A CERTAIN TIME; AND PROVIDING
AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY Section 13, Chapter 340, O.S.L.
1982, as last amended by Section 10, Chapter 254, O.S.L. 1988 (19
O.S. Supp. 1990, Section 215.32), is amended to read as follows:

Section 215.32 A. Effective January 1, 1983, each district
attorney subject to provisions hereinafter set forth may appoint
assistants, investigators and support staff pursuant to the formula
set forth in subsection B of this section. Each district may, at
the request of the district attorney, have at least one district
investigator and one victim-witness coordinator to adequately
provide the victim and witnesses services required by Section 215.33

of this title. Victim-witness coordinators shall be support staff personnel. If the district investigator is licensed to practice law in the State of Oklahoma, he may also act as an assistant district attorney in all matters but his salary shall not exceed the salary range for investigators in that district.

B. In each district containing a population of less than three hundred thousand (300,000) persons, the district attorney may appoint one assistant district attorney for each county within the district and one additional assistant district attorney for each twenty thousand (20,000) population and multiple thereof in each county. In each district containing a population of three hundred thousand (300,000) or more persons but less than five hundred thousand (500,000) persons, the district attorney may appoint one assistant district attorney for each county within the district and one additional assistant district attorney for each seventeen thousand (17,000) population and multiple thereof in each county. In each district containing a population in excess of five hundred thousand (500,000) persons, the district attorney may appoint three assistant district attorneys for each county within the district and one additional assistant district attorney for each seventeen thousand (17,000) population and multiple thereof in each county. Provided, that in those districts containing seventeen thousand (17,000) or more military personnel and dependents who have been excluded from the Federal Census, the district attorney may appoint two additional assistant district attorneys.

C. 1. Each district attorney may appoint a half-time assistant district attorney for each mental institution, juvenile facility and correctional institution located within his district. Each district attorney may appoint one investigator. In addition each district attorney may appoint one additional investigator for each one hundred thousand (100,000) population and multiple thereof within his district.

2. In addition to the investigators that may be appointed pursuant to the provisions of paragraph 1 of this section, there shall be one (1) investigator appointed to District Attorney District No. 24.

D. Each district attorney may appoint one support staff personnel for each assistant district attorney position, and one support staff position may also be appointed for each district attorney.

E. Any employee in the offices of the district attorneys as of May 1, 1982, in any position which exceeds the formula presented above, shall continue to be employed in such office and, after January 1, 1983, shall be paid by the state until such time as that position is vacated, at which time said position shall cease to exist.

F. At the discretion of the district attorney, any designated full-time assistant, investigator or support staff position may be replaced, permanently or temporarily, with any full-time position in a lower salary percentage range, pursuant to the salary pay plan set forth in Sections 215.34 and 215.35 of this title, as long as the total number of full-time employees, for that district, does not exceed the number established for the district by the formula set forth in this act. In addition, at the discretion of the district attorney, investigators may be retained in excess of the positions authorized by the formula as set forth in this section, as long as a requisite number of other authorized positions for that district remain vacant so that the total maximum allowable cost for personal services for that district, as set forth in the formula in this section and the salary plan in Section 215.34 of this title, is not exceeded.

G. Forty-five (45) days prior to assuming office, a newly elected district attorney shall notify employees of the district

attorney's office, if their employment will not to be continued
after the district attorney takes office.

SECTION 2. This act shall become effective September 1, 1991.

43-1-5897

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