STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 914

By: Haney and Hobson of the Senate

and

Hamilton and Settle of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the judiciary; amending Section 7 of Enrolled Senate Bill No. 911 of the 2nd Session of the 46th Oklahoma Legislature, which relates to compensation for officials and employees of the district courts; amending number of full-time-equivalent employees in certain positions; amending Section 9, Chapter 225, O.S.L. 1994 (20 O.S. Supp. 1997, Section 1310.1), which relates to the Supreme Court Revolving Fund; modifying purposes of Fund; amending Section 2, Chapter 362, O.S.L. 1993 (20 O.S. Supp. 1997, Section 92.8a), which relates to district judges; increasing number of district judges; deleting language relating to elections of district judges; providing for nomination and election of certain judicial candidates; amending 20 O.S. 1991, Section 122, as amended by Section 27, Chapter 335, O.S.L. 1992 (20 O.S. Supp. 1997, Section 122), which relates to special judges; adding one special judge to be appointed to specific Judicial Administrative District; requiring utilization of certain services of the Oklahoma Court Information System at the direction of the Chief Justice; providing effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 7 of Enrolled Senate Bill No. 911 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 7. For the fiscal year ending June 30, 1999, the annual compensation of officials and employees of the district courts payable monthly from appropriated funds shall not exceed the following schedule, exclusive of overtime and longevity

payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

TITLE	NUMBER AUTHORIZED
District Judge	73
Associate District Judge	
County Population over 30,000	32
County Population 10,000 to 30,000	30
County Population under 10,000	15
Special Judge	78

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY RANGE MINIMUM	MAXIMUM
Court Reporter	196	$19,236.00	$28,174.00
Trial Court Administrator	2	20 O.S., Section 126	
Secretary to Administrative Presiding Judge of the Judicial District	9	$20,325.00	$26,676.00
Secretary Bailiff	~~157~~ 159	$18,604.00	$24,371.00
TOTAL	~~583.0~~ 585.0		

		ANNUAL SALARY RANGE EFFECTIVE JANUARY 1, 1999 MINIMUM	MAXIMUM
Court Reporter	196	$20,486.00	$29,424.00
Secretary to Administrative Presiding Judge of the Judicial District	9	$21,575.00	$27,926.00
Secretary Bailiff	~~156~~ 159	$19,854.00	$25,621.00

SECTION 2. AMENDATORY Section 9, Chapter 225, O.S.L. 1994 (20 O.S. Supp. 1997, Section 1310.1), is amended to read as follows:

Section 1310.1 There is hereby created in the State Treasury a revolving fund for the State Supreme Court, to be designated the "Supreme Court Revolving Fund". The fund shall be a continuing

fund, not subject to fiscal year limitations, and shall consist of monies appropriated by the Legislature for the purposes specified in this section. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Supreme Court for refunds to bondsmen and for the purpose of paying expenses authorized by Section 1809 of Title 12 of the Oklahoma Statutes, Sections 103.1, 1311, 1507 and 1660 of ~~Title 20 of the Oklahoma Statutes~~ this title, and Sections 562 and 1355.13A of Title 22 of the Oklahoma Statutes, and to perform the duties imposed upon the State Supreme Court or Court of Civil Appeals by law. 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 State Finance for approval and payment.

SECTION 3. AMENDATORY Section 2, Chapter 362, O.S.L. 1993 (20 O.S. Supp. 1997, Section 92.8a), is amended to read as follows:

Section 92.8a Beginning January 11, 1999, District Court Judicial District No. 7 shall have ~~fourteen (14)~~ fifteen (15) district judges. ~~For elections held in 1994, district judges shall be nominated and elected as follows: candidates for office Nos. 1 and 9 shall be nominated and elected from and be legal residents of electoral Division No. 1, candidates for office Nos. 3 and 10 shall be nominated and elected from electoral Division No. 2, candidates for office Nos. 2 and 11 shall be nominated and elected from electoral Division No. 3, candidates for office Nos. 4 and 12 shall be nominated and elected from electoral Division No. 4, and candidates for office Nos. 5, 6, 7, 8, 13 and 14 shall be nominated and elected at large. A candidate for an office elected from electoral Division No. 2, 3 or 4 shall be a legal resident of the respective division or serving as a district judge in the district court judicial district at the time of filing a declaration of candidacy.~~

For elections held after 1994, district judges shall be nominated and elected as follows: candidates for office Nos. 1 and 9 shall be nominated and elected from and be legal residents

of electoral Division No. 1, candidates for office Nos. 3 and 10 shall be nominated and elected from and be legal residents of electoral Division No. 2, candidates for office Nos. 2 and 11 shall be nominated and elected from and be legal residents of electoral Division No. 3, candidates for office Nos. 4 and 12 shall be nominated and elected from and be legal residents of electoral Division No. 4, and candidates for office Nos. 5, 6, 7, 8, 13 and 14 shall be nominated and elected at large. Beginning with elections held in 1998, candidates for office No. 15 shall be nominated and elected at large.

SECTION 4. AMENDATORY 20 O.S. 1991, Section 122, as amended by Section 27, Chapter 335, O.S.L. 1992 (20 O.S. Supp. 1997, Section 122), is amended to read as follows:

Section 122. The number of special judges that may be appointed in each judicial administrative district shall be determined as follows:

1. A special judge shall be appointed on the basis of one special judge for each county within the administrative district with a population of at least twenty-four thousand (24,000), as determined by the 1960 Federal Decennial Census. An additional special judge shall be appointed for each additional fifty thousand (50,000) in population in a county within the administrative district, as determined by the 1960 Federal Decennial Census. Such appointment may be made from any county in the administrative district. Such appointments shall be made by the district judges in their respective judicial administrative districts. Any judge of a special sessions court shall be one of the special judges for the balance of his term and shall be within the number prescribed for said district.

2. In addition to the special judges that may be appointed pursuant to the provisions of paragraph 1 of this section, there shall be:

a. one (1) special judge appointed in the Northwest-Panhandle Judicial Administrative District comprised of District Court Judicial Districts

Numbers One (1), Two (2) and Four (4), to serve in Custer County;

b. one (1) special judge appointed in the Oklahoma-Canadian Counties Judicial Administrative District comprised of District Court Judicial District Number Seven (7); ~~and~~

c. two (2) special judges appointed in the Tulsa-Pawnee Counties Judicial Administrative District comprised of District Court Judicial District Number Fourteen (14); and

d. beginning January 11, 1999, one (1) special judge appointed in the Northeastern Judicial Administrative District comprised of District Court Judicial Districts Numbers Ten (10), Eleven (11), Twelve (12) and Thirteen (13), to serve in Rogers County.

3. If a vacancy occurs in the office of associate district judge, or if an associate district judge becomes unable to perform the duties of his office, as determined by the presiding judge of the judicial administrative district, a special judge may be appointed within the judicial administrative district to hold office for the duration of said vacancy or incapacity. After the vacancy is filled, or after the associate district judge becomes able to perform the duties of his office, the special judge shall have the power to act in regard to any case which he has already tried, but the presiding judge of the judicial administrative district may transfer such a case to any other judge in the judicial administrative district.

4. The Chief Justice of the Supreme Court may authorize the appointment of such additional special judges as may be necessary for the proper administration of justice. Such additional special judges shall be appointed after application by a majority of the district judges of a judicial administrative district, stating the reason why an additional special judge is needed. Such additional judges need not be based upon population figures.

SECTION 5. Court clerks and judges of the district courts of Oklahoma shall utilize the case tracking, accounting, legal research, and other services of the Oklahoma Court Information System at the direction of the Chief Justice of the Supreme Court of the State of Oklahoma.

SECTION 6. There is hereby appropriated to the Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Twenty-five Thousand Seven Hundred Twenty-five Dollars ($25,725.00) which shall be used for one (1.0) secretary-bailiff.

SECTION 7. AMENDATORY Section 6 of Enrolled Senate Bill No. 911 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 6. For the fiscal year ending June 30, 1999, the district courts shall budget all funds in the following categories categories and amounts:

Category	Appropriation	Total
Court Operations	~~$34,647,308.00~~	~~$38,065,566.00~~
	$34,673,033.00	$38,091,291.00

SECTION 8. Section 3 of this act shall become effective July 1, 1998.

SECTION 9. Sections 1, 2, 4, 5, 6, 7 and 10 of this act shall become effective September 1, 1998.

SECTION 10. 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.

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