

ENROLLED SENATE
BILL NO. 1438

By: Helton of the Senate

and

Nance and Dank of the
House

An Act relating to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; amending 63 O.S. 1991, Section 2-110, which relates to employment and duties of attorneys of the Bureau; authorizing attorneys to assist in prosecution of any felony relating to or arising from certain violations; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 2-110, is amended to read as follows:

Section 2-110. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control may employ attorneys, who shall be unclassified employees of the state, or contract with attorneys, as needed. These attorneys may advise the Director, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission and Bureau personnel on all legal matters and shall appear for and represent the Director, the Commission and Bureau personnel in all administrative hearings and all litigation or other proceedings which may arise in the discharge of their duties. At the request of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission, such attorney shall assist the district attorney in prosecuting charges of violators of the Uniform Controlled Dangerous Substances Act or any felony relating to or arising from a violation of the Uniform Controlled Dangerous Substances Act. Provided, if a conflict of interest would be created by such attorney representing the Director, the Commission or Bureau personnel, additional counsel may be hired upon approval of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission. Any classified employee who is serving in an attorney position which is subject to the Merit System of Personnel Administration on the effective date of this act shall have the option of retaining such classified status. An incumbent who chooses to remain in the classified service shall be subject to all provisions and conditions of the Merit System of Personnel Administration. An incumbent who chooses to change status from classified to unclassified shall so indicate in writing. All future appointees to such positions shall be in the unclassified service.

SECTION 2. This act shall become effective November 1, 2000.

Passed the Senate the 15th day of May, 2000.

President of the Senate

Passed the House of Representatives the 16th day of May, 2000.

Speaker of the House of
Representatives