STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1521 By: Fisher

AS INTRODUCED

An Act relating to telecommunications; limiting authority of Corporation Commission concerning certain tariffs; requiring payments pursuant to certain contracts be paid to the Department of Corrections; amending 57 O.S. 1991, Section 537, as amended by Section 5, Chapter 282, O.S.L. 1998 (57 O.S. Supp. 1999, Section 537), which relates to canteen services; requiring certain monies be kept separate from other funds; directing use of certain funds for healthcare and rehabilitation services; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 146.1 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Corporation Commission shall not approve any tariff for collect telephone calls that are made by inmates in a correctional facility and that are routed by automatic equipment that is more than one hundred ten percent (110%) of the tariff for station-to-station collect calls made from private residences in the area adjacent to the correctional facility from which the collect call originates.

B. On and after the effective date of this act, monies due pursuant to contracts made for facilitating, managing, or routing collect calls made by inmates shall be paid to the Department of Corrections.

SECTION 2. AMENDATORY 57 O.S. 1991, Section 537, as amended by Section 5, Chapter 282, O.S.L. 1998 (57 O.S. Supp. 1999, Section 537), is amended to read as follows:

Section 537. A. There shall be established a Board of Directors for all canteen services within the Department of Corrections. The members of the Board shall be appointed by the Director of the Department of Corrections. All canteen operations shall be under the control of the Board and shall operate pursuant to written guidelines established by the Board. The overall canteen operation shall be self-supporting. <u>On and after the effective date of this act, all monies received by the Department of Corrections, directly or indirectly, from charges for collect telephone calls made by inmates shall be kept separate and distinct from other funds received from canteen operations. Such monies from telephone receipts shall be used solely by the Department of Corrections for inmate healthcare and rehabilitation services and not for any other purpose.</u>

B. Each correctional facility may have a canteen. The directors of each canteen shall be the facility head and two directors appointed by the facility head. The business manager shall act as custodian of canteen funds and shall make daily deposits of cash receipts in an agency special account approved by the Special Agency Account Board. Canteen funds may be transferred from one canteen fund special account to another canteen fund special account upon an affirmative vote by the Board of Directors. All disbursements made from the account shall be by voucher signed by two of the directors of the canteen. Documentation of each disbursement shall be kept on permanent file at each institution. Accounting procedures in accordance with state fiscal accounting procedures shall be followed in administering canteen funds. All profits from the canteen operations shall be used exclusively for the benefit of the inmates of the various institutions and personnel

of the Department of Corrections as determined by the canteen Board of Directors pursuant to subsection A of this section.

C. Employees utilized in the operation of the canteen services at each institution shall be state employees. Inmates may work in the canteen operations. Reimbursement for such work shall be accomplished through the institution incentive pay program.

D. The operations of the canteen service shall be the subject of an annual audit by the Office of the State Auditor and Inspector. Reports of the audit shall be provided to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Legislative Service Bureau, the Department of Corrections, and to the warden of the concerned institution.

E. Merchandise for resale purchased and sold through a correctional facilities' canteen as established in this section shall be exempted from the provisions of the Oklahoma Central Purchasing Act.

SECTION 3. 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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