

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1490

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

AS INTRODUCED

An Act relating to the state legal system; requiring the Supreme Court to implement an accounting system for certain information system; requiring certain approval; stating legislative intent for enhanced revenues; making an appropriation to the Supreme Court; stating purpose; requiring the Supreme Court to budget funds for the district courts in certain categories and amounts; limiting compensation of certain district court employees; setting budgetary limitations for the district courts; requiring Supreme Court to budget all funds in certain categories and amounts; making an appropriation to the Oklahoma Indigent Defense System; specifying purpose; requiring the Attorney General to budget funds in certain categories and amounts; requiring the District Attorneys Council to budget funds in certain categories and amounts; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 9, Chapter 291, O.S.L. 2001, as amended by Section 87, Chapter 433, O.S.L. 2001, Section 10, Chapter 291, O.S.L. 2001, as amended by Section 88, Chapter 433, O.S.L. 2001, Section 11, Chapter 291, O.S.L. 2001, as amended by Section 89, Chapter 433, O.S.L. 2001, Section 18, Chapter 291, O.S.L. 2001, as amended by Section 90, Chapter 433, O.S.L. 2001, Section 2, Chapter 432, O.S.L. 2001, as amended by Section 91, Chapter 433, O.S.L. 2001, Section 9, Chapter 432, O.S.L. 2001, as amended by Section 92, Chapter 433, O.S.L. 2001, and Sections 84, 85 and 86, Chapter 433, O.S.L. 2001, which relate to the state legal system; providing for codification; and declaring an emergency.

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

OKLAHOMA SUPREME COURT

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1315.2a of Title 20, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Supreme Court shall implement an accounting system for the Oklahoma Court Information System with the approval of the State Auditor and Inspector. It is the intent of the Legislature that the Oklahoma Supreme Court implement changes to the Oklahoma Supreme Court Information System to enhance revenue collection by at least Nine Hundred Fifty Thousand Dollars (\$950,000.00) for the fiscal year ending June 30, 2002.

SECTION 2. There is hereby appropriated to the Oklahoma Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of Two Hundred Ninety-one Thousand Six Hundred Dollars (\$291,600.00) or so much thereof as may be necessary to perform the duties imposed upon the district courts by law, less any amounts disbursed or allocated prior to the effective date of this act pursuant to the appropriation made by Section 86, Chapter 433, O.S.L. 2001.

SECTION 3. For the fiscal year ending June 30, 2002, the Supreme Court shall budget all funds appropriated or otherwise made available for the operation of the district courts in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Court Operations	\$40,971,275.00	\$42,621,505.00

SECTION 4. For the fiscal year ending June 30, 2002, the annual compensation of the following 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.

MINIMUM

MAXIMUM

Secretary to Administrative Presiding

Judge of the Judicial District \$21,575.00 \$30,526.00

Secretary Bailiff \$19,854.00 \$28,221.00

SECTION 5. The district courts, for the fiscal year ending June 30, 2002, shall be subject to the following budgetary limitations on full-time-equivalent employees excluding active retired judges, and except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>TITLE</u>	<u>NUMBER</u>
District Judge	73.0
Associate District Judge	
County Population over 30,000	32.0
County Population under 30,000	45.0
Special Judge	84.0
<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	638.0
Lease-Purchase Agreements	\$0.00

SECTION 6. For the fiscal year ending June 30, 2002, the State Supreme Court shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Supreme Court Justices	\$ 4,409,547.00	\$ 4,519,547.00
Court of Civil Appeals	3,851,254.00	3,901,254.00
Administrative Office of the		
Courts	2,050,436.00	5,831,880.00
Court Clerk's Office	572,842.00	602,842.00
Legal Aid Services Contract	830,000.00	830,000.00
Management Information Services	1,379,063.00	8,414,063.00
Dispute Mediation	<u>730,201.00</u>	<u>790,201.00</u>
TOTAL	\$13,823,343.00	\$24,889,787.00

SECTION 7. There is hereby appropriated to the Oklahoma Indigent Defense System from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of Two Hundred Thousand Dollars (\$200,000.00) or so much thereof as may be necessary to provide salary increases to staff attorneys of the Oklahoma Indigent Defense System, less any amounts disbursed or allocated prior to the effective date of this act pursuant to the appropriation made by Section 85, Chapter 433, O.S.L. 2001.

SECTION 8. For the fiscal year ending June 30, 2002, the Attorney General shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$1,490,9906.00	\$1,890,906.00
Legal Services	4,732,341.00	7,068,461.00
Financial Fraud and Special		
Investigations	582,761.00	627,548.00
Medicaid Fraud Control	310,553.00	1,239,548.00
Workers' Compensation Fraud	<u>0.00</u>	<u>904,885.00</u>
TOTAL	\$7,116,561.00	\$11,731,348.00

SECTION 9. For the fiscal year ending June 30, 2002, the District Attorneys Council shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Prosecutorial Services	\$30,874,762.00	\$37,500,000.00
General Administration	1,028,000.00	1,600,000.00
Child Support Services	0.00	13,250,000.00
Bogus Check Enforcement and		
Restitution	0.00	12,500,000.00
Federal Grant Programs	0.00	8,500,000.00
Federal Pass-Through Grants	0.00	19,000,000.00
Drug Asset Forfeiture	0.00	2,150,000.00

Crime Victim Services	<u>0.00</u>	<u>6,000,000.00</u>
TOTAL	\$31,902,762.00	\$100,500,000.00

SECTION 10. Budgetary and employee limitations otherwise imposed upon agencies by law shall not apply to expenditures by state agencies made from appropriations and transfers made by this act.

SECTION 11. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02), or may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03). Funds budgeted for FY-02 may be encumbered only through June 30, 2002, and must be expended by November 15, 2002. Any funds remaining after November 15, 2002, and not budgeted for FY-03, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-03 may be encumbered only through June 30, 2003. Any funds remaining after November 15, 2003, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-02, and not required to pay obligations for that fiscal year, may be budgeted for FY-03, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-02 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 12. REPEALER Section 9, Chapter 291, O.S.L. 2001, as amended by Section 87, Chapter 433, O.S.L. 2001, Section 10, Chapter 291, O.S.L. 2001, as amended by Section 88, Chapter 433, O.S.L. 2001, Section 11, Chapter 291, O.S.L. 2001, as amended by Section 89, Chapter 433, O.S.L. 2001, Section 18, Chapter 291, O.S.L. 2001, as amended by Section 90, Chapter 433, O.S.L. 2001, Section 2, Chapter 432, O.S.L. 2001, as amended by Section 91, Chapter 433, O.S.L. 2001, Section 9, Chapter 432, O.S.L. 2001, as

amended by Section 92, Chapter 433, O.S.L. 2001, Sections 84, 85 and 86, Chapter 433, O.S.L. 2001, are hereby repealed.

SECTION 13. 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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