STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 290 By: Haney and Hobson of the Senate

and

Mass and Bonny of the House

AS INTRODUCED

An Act relating to state legal services; making an appropriation to the Attorney General; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for the duties and compensation of employees; providing budgetary limitations; making an appropriation to the Attorney General for the benefit of the District Attorneys Council; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; authorizing transfer of certain funds; providing for duties and compensation of employees; providing budgetary limitations; authorizing the District Attorneys Council to hire certain number of legal interns for certain period of time; exempting interns from budgetary limitations; making certain employee positions contingent on nonappropriated funds; making an appropriation to the Oklahoma Indigent Defense System; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; exempting certain employees from budgetary limitations; making appropriations nonfiscal; providing lapse dates; requiring and prohibiting certain budget practices; providing an effective date; and declaring an emergency.

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

ATTORNEY GENERAL

SECTION 1. There is hereby appropriated to the Attorney General 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 _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Attorney General by law.

SECTION 2. For the fiscal year ending June 30, 2002, the Attorney General shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
General Operations	$0.00	$0.00
Legal Services	0.00	0.00
Financial Fraud and Special Investigations	0.00	0.00
Medicaid Fraud Control	0.00	0.00
Workers' Compensation Fraud	0.00	0.00
TOTAL	$0.00	$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the Attorney General by law shall be set by the Attorney General. The Office of the Attorney General for the fiscal year ending June 30, 2002, shall be subject to the following budgetary limitations on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

DISTRICT ATTORNEYS COUNCIL

SECTION 4. There is hereby appropriated to the Attorney General 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 _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the District Attorneys Council by law.

SECTION 5. For the fiscal year ending June 30, 2002, the District Attorneys Council shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Prosecutorial Services	$0.00	$0.00
General Administration	0.00	0.00
Child Support Services	0.00	0.00
Bogus Check Enforcement and Restitution	0.00	0.00
Federal Grant Programs	0.00	0.00
Federal Pass-Through Grants	0.00	0.00
Drug Asset Forfeiture	0.00	0.00
Crime Victim Services	0.00	0.00
TOTAL	$0.00	$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 6. For the fiscal year ending June 30, 2002, the District Attorneys Council is authorized to transfer an amount not to exceed One Hundred Fifty Thousand Dollars ($150,000.00), on an as-needed basis, from the Crime Victims Compensation Revolving Fund created by Section 142.17 of Title 21 of the Oklahoma Statutes to the Sexual Assault Examination Fund created by Section 142.20 of Title 21 of the Oklahoma Statutes.

SECTION 7. For the fiscal year ending June 30, 2002, up to One Hundred Sixty Thousand Dollars ($160,000.00) is authorized to be transferred from the Crime Victims Compensation Revolving Fund, created by Section 142.17 of Title 21 of the Oklahoma Statutes to the District Attorneys Council for two (2) employees, including related duties to support the Crime Victims Compensation Board.

SECTION 8. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the district attorneys and District Attorneys Council by law

shall be set by the District Attorneys Council within the limits prescribed by Sections 215.30 and 215.34 of Title 19 of the Oklahoma Statutes. The district attorneys and District Attorneys Council for the fiscal year ending June 30, 2002, shall be subject to the following budgetary limitations on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 9. The District Attorneys Council is hereby authorized to hire twenty (20) legal interns for the fiscal year ending June 30, 2002. Such interns shall be exempt from the budgetary limitations as provided in Section 8 of this act.

SECTION 10. Of the one thousand two hundred eighteen (1,218) full-time-equivalent employee positions authorized for the District Attorneys and District Attorneys Council in Section 8 of this act, six hundred seventy-eight (678) full-time-equivalent employee positions shall be contingent on nonappropriated funds and shall be eliminated when nonappropriated funds for the positions are discontinued. If nonappropriated funds are decreased then positions shall be decreased correspondingly.

OKLAHOMA INDIGENT DEFENSE SYSTEM

SECTION 11. 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 _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law.

SECTION 12. For the fiscal year ending June 30, 2002, the Oklahoma Indigent Defense System shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Trial Services	$0.00	$0.00
Appellate Services	0.00	0.00
General Operations	0.00	0.00
TOTAL	$0.00	$0.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law shall be set by the Executive Director of the Oklahoma Indigent Defense System. The Oklahoma Indigent Defense System for the fiscal year ending June 30, 2002, shall be subject to the following budgetary limitations on full-time-equivalent employees, except those used for the statewide Trial Indigent Defense System, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 14. 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 budgeted 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 15. This act shall become effective July 1, 2001.

SECTION 16. 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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