ENGROSSED HOUSE
BILL NO. 1972

By: Mitchell and Bonny of the House

and

Morgan and Robinson of the Senate

An Act relating to the district courts; providing budgetary limits; requiring budgeting of certain funds in certain categories and amounts; limiting salaries of certain employees; providing budgetary limitations on certain full-time-equivalent employees; authorizing the total or partial refund of payments to the State Judicial Fund by local court funds under certain circumstances; providing procedures; authorizing expenditure from the Supreme Court Revolving Fund in certain circumstances; 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:

SECTION 1. For the fiscal year ending June 30, 2005, 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:

Category	Appropriation	Total
Court Operations	$40,897,067.00	$40,897,067.00

SECTION 2. For the fiscal year ending June 30, 2005, 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 3. The district courts, for the fiscal year ending June 30, 2005, 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.

TITLE	NUMBER AUTHORIZED
District Judge	74.0
Associate District Judge	
County Population over 30,000	32.0
County Population under 30,000	45.0
Special Judge	84.0
Budgetary Limitation	Amount
Full-time-equivalent Employees	643.0
Lease-Purchase Agreements	$0.00

SECTION 4. A. Payments made by local court funds to the State Judicial Fund pursuant to Section 1308 of Title 20 of the Oklahoma Statutes during the fiscal year ending June 30, 2005, may be totally or partially refunded upon approval by the Chief Justice to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes. All such refunds shall be paid from the Supreme Court Revolving Fund.

B. When local court funds are insufficient to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes or outstanding liabilities for constitutionally mandated services and items of expense, a claim may be filed with the Administrative Office of the Courts by a Court Fund Governing Board, or by the person or corporation to whom money is due as verified by

the Court Fund Governing Board or by the Administrative Office of the Courts. All such claims shall be filed with the Administrative Office of the Courts by July 31, 2005. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

SECTION 5. Appropriations made by Sections 122, 123, 124 and 125 of Enrolled House Bill No. 2007 of the 2nd Session of the 49th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05) or may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06). Funds budgeted for FY-05 may be encumbered only through June 30, 2005, and must be expended by November 15, 2005. Any funds remaining after November 15, 2005, and not budgeted for FY-06, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-06 may be encumbered only through June 30, 2006. Any funds remaining after November 15, 2006, 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-05, and not required to pay obligations for that fiscal year, may be budgeted for FY-06, 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-05 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 6. This act shall become effective July 1, 2004.

SECTION 7. 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.

Passed the House of Representatives the 10th day of March, 2004.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2004.

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Presiding Officer of the Senate