

ENROLLED HOUSE
BILL NO. 2074

By: Mitchell and Bonny of the
House

and

Morgan and Robinson of the
Senate

An Act relating to Department of Corrections;
requiring budgeting of funds in certain categories
and amounts; requiring certain performance measures;
providing for duties and compensation of employees;
authorizing employment of certain percentage of
employees in the unclassified service; providing
budgetary limitations; authorizing expenditure of
certain funds; requiring certain agreement for public
work positions; authorizing certain agreement for
construction projects; authorizing construction of
facilities at certain location; authorizing purchase
of certain real estate; authorizing the sale of
certain real estate; directing the deposit of certain
funds; providing lapse dates; requiring and
prohibiting certain budget practices; and providing
an effective date.

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

SECTION 1. For the fiscal year ending June 30, 2005, the
Department of Corrections shall budget all funds in the following
categories:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$ 16,466,138.00	\$ 21,066,138.00
Central Office Operations	18,885,681.00	19,093,641.00
Regional Office Operations	5,948,906.00	6,148,906.00
Medical Services	45,182,934.00	45,382,934.00
Prison Operations	153,302,760.00	166,763,309.00
Contracted Services	86,436,537.00	95,487,437.00
Community Corrections	15,327,783.00	22,785,758.00
Community Sentencing	10,983,255.00	11,632,552.00

Probation and Parole Services	19,504,381.00	21,892,300.00
Offender Programs	10,407,567.00	20,676,567.00
Prison Industries	<u>1,715,626.00</u>	<u>25,233,498.00</u>
TOTAL	\$384,161,568.00	\$456,163,040.00

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

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Corrections by law shall be set by the Director. The Department of Corrections for the fiscal year ending June 30, 2005, shall be authorized to employ up to six percent (6%) of its total authorized full-time-equivalent employees in the unclassified service and shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	5,844.6
Lease-Purchase Agreements	\$8,500,000.00

SECTION 3. Of the monies appropriated to the Department of Corrections by Section 110 of Enrolled House Bill No. 2007 of the 2nd Session of the 49th Oklahoma Legislature, Six Million Dollars (\$6,000,000.00) shall be expended for the purpose of funding community sentencing activities authorized by Section 988.1 et seq. of Title 22 of the Oklahoma Statutes.

SECTION 4. The Department of Corrections is hereby authorized to expend from the Industries Revolving Fund, created pursuant to Section 541 of Title 57 of the Oklahoma Statutes, the sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 5. The Department of Mental Health and Substance Abuse Services shall maintain an agreement with the Department of Corrections to provide public service work positions for a minimum of 50 trustees pursuant to Section 215 et seq. of Title 57 of the Oklahoma Statutes.

SECTION 6. The Department of Corrections is authorized to enter into an agreement with the Department of Human Services to utilize prison inmates for construction projects subject to written restrictions and conditions regarding security classification and other matters related to the control of inmates and public safety. Before utilizing inmates, the Department of Corrections shall enter into a written agreement concerning, but not limited to, liability, funding, pay, public security and transportation. Provided, further, that prison inmates shall not be used to replace any current Department of Human Services employees.

SECTION 7. The Department of Corrections, subject to funds available, is authorized to build an inmate-housing unit at James Crabtree Correctional Center located at Helena, Oklahoma.

SECTION 8. The Department of Corrections, subject to funds available, is authorized to purchase approximately 110.04 acres of real property adjacent to the John Lilley Correctional Center, Boley, Oklahoma. The Department of Corrections is further authorized to expend a sum not to exceed Forty-four Thousand Dollars (\$44,000.00) for the purchase of this property.

SECTION 9. The Department of Corrections is authorized to sell five (5) acres of real property, described as the Southeast five (5) acres of the South half of the Northeast quarter of Section #13-6-21 near the Oklahoma State Reformatory, Granite, Greer County, Oklahoma.

SECTION 10. The Department of Corrections is authorized to sell the office building located on 1411 Classen Boulevard in Oklahoma City, Oklahoma. The proceeds from the sale of the Classen office building are to be deposited into the Department of Corrections revolving fund.

SECTION 11. Appropriations made by Sections 110 and 141 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 12. This act shall become effective September 1, 2004.

Passed the House of Representatives the 17th day of May, 2004.

Presiding Officer of the House of
Representatives

Passed the Senate the 21st day of May, 2004.

Presiding Officer of the Senate