ENROLLED SENATE
BILL NO. 78

By: Morgan and Robinson of the Senate

and

Mitchell and Bonny of the House

An Act relating to the Court of Criminal Appeals; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; authorizing employment of temporary employees; exempting temporary employees from budgetary limitations; providing for the duties and compensation of employees; providing budgetary limitations; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; making appropriations nonfiscal; providing an effective date; and declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Court of Criminal Appeals from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2004, the sum of Two Million Six Hundred Thirty-four Thousand Three Hundred Seventy-eight Dollars ($2,634,378.00) or so much thereof as may be required to perform the duties imposed upon the Court of Criminal Appeals by law.

SECTION 2. For the fiscal year ending June 30, 2004, the Court of Criminal Appeals shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Court Operations	$2,634,378.00	$2,667,378.00

SECTION 3. The Court of Criminal Appeals is authorized to employ temporary employees as may be necessary to maintain timely disposition of criminal appeal cases. Personnel employed pursuant to the provisions of this section shall be exempt from the limitation on full-time-equivalent employees provided in Section 4 of this act.

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed

upon the Court of Criminal Appeals by law shall be set by the Judges of the Court of Criminal Appeals. The Court of Criminal Appeals, for the fiscal year ending June 30, 2004, 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	36.0
Lease-Purchase Agreements	$0.00

SECTION 5. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04), or may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05). Funds budgeted for FY-04 may be encumbered only through June 30, 2004, and must be expended by November 15, 2004. Any funds remaining after November 15, 2004, and not budgeted for FY-05, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-05 may be encumbered only through June 30, 2005. Any funds remaining after November 15, 2005, 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-04, and not required to pay obligations for that fiscal year, may be budgeted for FY-05, 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-04 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, 2003.

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 Senate the 21st day of May, 2003.

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Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2003.

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Presiding Officer of the House
of Representatives