STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2079: Mitchell and Bonny of the House

and

Morgan and Robinson of the Senate

AS INTRODUCED

An Act relating to Oklahoma State Bureau of Investigation; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring certain report; specifying duties for certain full-time-equivalent employees; making their employment contingent on certain funding; 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 Oklahoma State Bureau of Investigation shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$ 0.00	$ 0.00
Investigative Services	0.00	0.00
Criminalistic Services	0.00	0.00
Information Services	0.00	0.00
Management of Information Systems	0.00	0.00
TOTAL	$0.00	$0.00

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law shall be set

by the Director. The salary of the Director shall not exceed Seventy-four Thousand Two Hundred Twenty-two Dollars ($74,222.00) per annum, payable monthly for the fiscal year ending June 30, 2005. The Oklahoma State Bureau of Investigation for the fiscal year ending June 30, 2005, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	305.00
Lease-Purchase Agreements	$0.00

SECTION 3. Of the amount appropriated to the Oklahoma State Bureau of Investigation, a maximum of Fifty Thousand Dollars ($50,000.00) may be transferred to an agency special account for the purpose of purchasing evidence items, paying fees to informers or special employees, paying expenses incurred in the prosecution and defense of civil actions, and paying other expenses as incurred under the Evidence Fund activity in trying to apprehend and convict violators of the laws of the state. The Oklahoma State Bureau of Investigation shall report income to the Evidence Fund annually pursuant to the provisions of Sections 41.7c and 41.29 of Title 62 of the Oklahoma Statutes.

SECTION 4. Of the total number of full-time-equivalent employee positions authorized for the Oklahoma State Bureau of Investigation in this act, eleven (11.0) shall perform duties in accordance with the Criminal Intelligence Unit and nine (9.0) shall perform duties in accordance with the Criminal Records Audit Unit. The continuation of these full-time-equivalent employees is contingent upon sufficient agency revolving funds to support them.

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, 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.

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