STATE OF OKLAHOMA

2nd Extraordinary Session of the 50th Legislature (2006)

HOUSE BILL 1147

By: Benge and Newport of the House

and

Crutchfield and Rabon of the Senate

AS INTRODUCED

An Act relating to the District Attorneys Council; making an appropriation to the Office of the Attorney General for the benefit of the District Attorneys Council; stating purposes; authorizing transfers of certain funds; requiring budgeting in certain categories and amounts; requiring certain performance measures; 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; 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. There is hereby appropriated to the Office of 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, 2007, 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. Of the funds appropriated herein, the Office of the Attorney General shall transfer up to the sum of _____ Dollars ($0.00) or so much thereof as may be required by the district attorneys and District Attorneys Council to the District Attorneys Evidence Fund for necessary expenses relative to any case within the official responsibility of the offices of the district attorneys as provided by Section 215.40 of Title 19 of the Oklahoma Statutes.

SECTION 2. For the fiscal year ending June 30, 2007, the District Attorneys Council is authorized to transfer an amount not to exceed _____ Dollars ($0.00), 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 3. For the fiscal year ending June 30, 2007, up to _____ Dollars ($0.00) 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 eight (8) employees, including related duties to support the Crime Victims Compensation Board.

SECTION 4. For the fiscal year ending June 30, 2007, up to _____ Dollars ($0.00) 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 duties to support Victim-Witness Services.

SECTION 5. For the fiscal year ending June 30, 2007, 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. 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 except as otherwise provided in Chapter 7A of Title 19 of the Oklahoma Statutes. The district attorneys and District Attorneys Council for the fiscal year ending June 30, 2007, 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 7. The District Attorneys Council is hereby authorized to hire twenty (20) legal interns for the fiscal year ending June 30, 2007. Such interns shall be exempt from the budgetary limitations as provided in Section 6 of this act.

SECTION 8. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07), or may be budgeted for the fiscal year ending June 30, 2008 (hereafter FY-08). Funds budgeted for FY-07 may be encumbered only through June 30, 2007, and must be expended by November 15, 2007. Any funds remaining after November 15, 2007, and not budgeted for FY-08, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-08 may be encumbered only through June 30, 2008. Any funds remaining after November 15, 2008, 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-07, and not required to pay

obligations for that fiscal year, may be budgeted for FY-08, 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-07 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 9. This act shall become effective July 1, 2006.

SECTION 10. 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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