STATE OF OKLAHOMA

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

HOUSE BILL 1149

By: Benge and Newport of the House

and

Crutchfield and Rabon of the Senate

AS INTRODUCED

An Act relating to the district courts; authorizing expenditure from the State Judicial Revolving Fund; stating purpose of expenditure; making an appropriation to the Supreme Court for the district courts; stating purpose; requiring budgeting in certain categories and amounts; limiting salaries of certain employees; providing budgetary limitations; authorizing the total or partial refund of payments to the State Judicial Revolving Fund by local court funds under certain circumstances; providing procedures; 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. The Supreme Court is hereby authorized to expend during the fiscal year ending June 30, 2007, from the State Judicial Revolving Fund of the State Treasury, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the district courts by law.

SECTION 2. There is hereby appropriated to the Supreme Court 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 courts by law.

SECTION 3. For the fiscal year ending June 30, 2007, 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	$0.00	$0.00

SECTION 4. For the fiscal year ending June 30, 2007, 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	$0.00	$0.00
Secretary Bailiff	$0.00	$0.00

SECTION 5. The district courts, for the fiscal year ending June 30, 2007, 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	0.0
Associate District Judge	
County Population over 30,000	0.0
County Population under 30,000	0.0
Special Judge	0.0

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 6. 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, 2007, 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, 2007. All such claims may be paid from the Supreme Court Revolving Fund upon approval of the Chief Justice.

SECTION 7. 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 8. This act shall become effective July 1, 2006.

SECTION 9. 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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