STATE OF OKLAHOMA

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

HOUSE BILL 1152

By: Benge and Newport of the House

and

Crutchfield and Rabon of the Senate

AS INTRODUCED

An Act relating to the Oklahoma Indigent Defense System; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing budgetary limitations; providing for duties and compensation of employees; limiting the salary of the Executive Director; exempting certain employees from budgetary limitations on full-time-equivalent employees; 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 Oklahoma Indigent Defense System 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 Oklahoma Indigent Defense System by law.

SECTION 2. For the fiscal year ending June 30, 2007, the Oklahoma Indigent Defense System shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Trial Services	$ 0.00	$ 0.00
Appellate Services	0.00	0.00

General Operations	0.00	0.00
Non-Capital Contracts	0.00	0.00
Regional Offices	0.00	0.00
Forensic Testing	0.00	0.00
TOTAL	$0.00	$0.00

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

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law shall be set by the Executive Director of the Oklahoma Indigent Defense System. The salary of the Executive Director shall not exceed _____ Dollars ($0.00). The Oklahoma Indigent Defense System for the fiscal year ending June 30, 2007, shall be subject to the following budgetary limitations on full-time-equivalent employees, except those used for the statewide Trial Indigent Defense System, 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 4. 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 5. This act shall become effective July 1, 2006.

SECTION 6. 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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