STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1827 By: Corn

AS INTRODUCED

An Act relating to Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; amending 63 O.S. 2001, Section 2-103, as amended by Section 13, Chapter 199, O.S.L. 2003 (63 O.S. Supp. 2005, Section 2-103), which relates to appointment and powers of Director; providing exception for compensation of personnel; establishing salaries of certain employees of the Bureau; allowing use of pay mechanisms for certain positions; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 2-103, as amended by Section 13, Chapter 199, O.S.L. 2003 (63 O.S. Supp. 2005, Section 2-103), is amended to read as follows:

Section 2-103. A. The Director shall be appointed by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission. The Director of Narcotics and Dangerous Drugs Control on January 1, 1984, shall be initially appointed as Director. The succeeding Director shall, at the time of the appointment, have a Bachelor's Degree from an accredited college or university and at least five (5) years' experience in drug law enforcement. The Director may appoint necessary assistants, agents, and other personnel to perform the work of the office and may prescribe their titles and duties and fix their compensation, other than the salaries established in subsection A of Section 2 of this act, pursuant to Merit System rules. The Director may appoint an employee to the position of Public Information/Education Officer. Said position shall be unclassified and exempt from the rules and

procedures of the Office of Personnel Management, except leave regulations. The office of the Director shall be located at a suitable place in Oklahoma City, Oklahoma.

B. 1. Agents appointed by the Director shall have the powers of peace officers generally; provided, the Director may appoint special agents to meet specific investigatory need, who do not meet the age and educational requirements as specified in this section.

2. Agents appointed on and after November 1, 1998, shall be at least twenty-one (21) years of age and shall have a Bachelor's Degree from an accredited college or university.

3. Each entering agent shall be required to serve one (1) year in a probationary status as a prerequisite to being placed on permanent status.

C. Agents appointed pursuant to the provisions of this section shall have the responsibility of investigating alleged violations and shall have the authority to arrest those suspected of having violated the provisions of the Uniform Controlled Dangerous Substances Act.

D. A commissioned employee of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall be entitled to receive upon retirement by reason of length of service, the continued custody and possession of the sidearm and badge carried by such employee immediately prior to retirement.

E. A commissioned employee of the Bureau may be entitled to receive, upon retirement by reason of disability, the continued custody and possession of the sidearm and badge carried by such employee immediately prior to retirement upon written approval of the Director.

F. Custody and possession of the sidearm and badge of a commissioned employee killed in the line of duty may be awarded by the Director to the spouse or next of kin of the deceased employee.

G. Custody and possession of the sidearm and badge of a commissioned employee who dies while employed at the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control may be awarded by the Director to the spouse or next of kin of the deceased employee.

H. Any Director appointed on or after July 1, 2003, shall be eligible to participate in either the Oklahoma Public Employees Retirement System or in the Oklahoma Law Enforcement Retirement System and shall make an irrevocable election in writing to participate in one of the two retirement systems.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-103a of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 2006, the annual salaries for positions within the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control specified in this section shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes:

1. Director: $96,305.00

2. Deputy Director:

   The salary of the Deputy Director shall be ninety-five percent (95%) of that received by the Director;

3. Division Director:

   The salary of the Division Director shall be ninety percent (90%) of that received by the Director;

4. Level I Agent (OBNDD):

   Minimum $35,287.00, Mid-point $41,875.00,

   Maximum $50,250.00;

5. Level II Agent (OBNDD):

   Minimum $43,714.00, Mid-point $49,062.00,

   Maximum $58,875.00;

6. Level III Agent (OBNDD):

Minimum $50,042.00, Mid-point $57,812.00,

Maximum $69,375.00;

7. Level IV Agent (OBNDD):

Minimum $58,365.00, Mid-point $63,750.00,

Maximum $76,500.00; and

8. Level V Agent (OBNDD):

Minimum $66,140.00; Mid-point $70,000.00,

Maximum $84,000.00.

B. Effective July 1, 2006, all positions may receive additional compensation through the use of pay mechanisms provided for in the Oklahoma Personnel Act and the Merit System of Personnel Administration Rules.

SECTION 3. This act shall become effective July 1, 2006.

SECTION 4. 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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