STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1974 By: Corn

AS INTRODUCED

An Act relating to corrections; amending 57 O.S.2001, Section 504, which relates to the Board of Corrections; updating language; construing authority to make certain policies; requiring certain fiscal impact statements be approved by Legislature at certain time; giving state immunity for certain fiscal obligations; requiring certain fiscal impact statements be filed with Legislature; adding duties to maintain institutions, property, infrastructure and certain services; and declaring an emergency.

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 504, is amended to read as follows:

Section 504. ~~(a)~~ A. The Board of Corrections shall elect from its members a ~~chairman~~ chair, vice ~~chairman~~ chair and a secretary. ~~It~~ The Board shall adopt rules ~~and regulations~~ for its government and may adopt an official seal for the Department. Members shall be reimbursed for travel expenses, as provided in the State Travel Reimbursement Act while attending meetings of the Board or while performing other official duties.

~~(b)~~ B. The Board shall have the following powers and duties:

~~(1)~~ 1. To establish general policies for the operation of the Department in compliance with statutory obligations of the Department, duties imposed upon the Director of Corrections, and other provisions of law; provided, however, no policy that has an increased fiscal impact on the Department shall be implemented or be enforceable without first determining such fiscal impact and filing a detailed written and signed fiscal impact statement with the

President Pro Tempore of the Senate and the Speaker of the House of Representatives for approval during the annual budgetary process of the Legislature. The state shall not be fiscally responsible for any Board policy that does not have an approved fiscal impact statement from the Legislature prior to implementation or is contrary to any provision of law. Policies that have no fiscal impact may be implemented and enforced without approval from the Legislature. Policies that reduce fiscal expenditures in the Department during a fiscal year may be implemented and enforced immediately, but shall be reported during the annual budgetary process of the Legislature by filing a detailed written and signed fiscal impact statement with the President Pro Tempore of the Senate and the Speaker of the House of Representatives;

~~(2)~~ 2. To maintain the institutions, property, and infrastructure under the jurisdiction of the Department as necessary for the health and safety of employees of the Department and prisoners under the jurisdiction of the Department;

3. To establish and maintain ~~such institutions as are necessary or convenient for the operation of~~ services and programs for the education, training, vocational education and rehabilitation of prisoners under the jurisdiction of the Department;

~~(3)~~ 4. To lease, from time to time, without restriction as to terms, any property which ~~said~~ the Board shall determine advisable to more fully carry into effect the operation of prison industries;

~~(4)~~ 5. To acquire, construct, extend, improve, maintain and operate any and all facilities of all kinds which in the judgment of the Board shall be necessary or convenient to foster the prison industries program;

~~(5)~~ 6. To require the Director of the Department of Corrections and any other personnel of the Department, when deemed necessary by the Board, to give bond for the faithful performance of their duties;

~~(6)~~ 7. To appoint and fix the salary of the Director of Corrections;

~~(7)~~ 8. To enter into contracts with private prison contractors; and

~~(8)~~ 9. To provide training to employees of private prison contractors and other governmental entities on a fee basis.

SECTION 2. 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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