

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 2332

By: Miller and Jones of the  
House

and

Johnson (Mike),  
Crutchfield, Myers and  
Adelson of the Senate

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to the Oklahoma Indigent Defense  
13 System; requiring budgeting in certain categories and  
14 amounts; requiring certain performance measures;  
15 providing budgetary limitations; providing for duties  
16 and compensation of employees; limiting the salary of  
17 the Executive Director; exempting certain employees  
18 from budgetary limitations on full-time-equivalent  
19 employees; providing lapse dates; requiring and  
20 prohibiting certain budget practices; providing an  
21 effective date; and declaring an emergency.

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

20 SECTION 1. For the fiscal year ending June 30, 2009, the  
21 Oklahoma Indigent Defense System shall budget all funds in the  
22 following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
24 Trial Services	\$ 3,600,000.00	\$ 4,872,339.00

1	Appellate Services	4,000,000.00	4,744,863.00
2	General Operations	650,000.00	719,475.00
3	Non-Capital Contracts	5,684,008.00	6,581,946.00
4	Regional Offices	2,700,000.00	2,837,151.00
5	Forensic Testing	<u>0.00</u>	<u>800,000.00</u>
6	TOTAL	\$16,634,008.00	\$20,555,774.00

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

9 SECTION 2. The duties and compensation of employees, not  
10 otherwise prescribed by law, necessary to perform the duties imposed  
11 upon the Oklahoma Indigent Defense System by law shall be set by the  
12 Executive Director of the Oklahoma Indigent Defense System. The  
13 salary of the Executive Director of the Oklahoma Indigent Defense  
14 System shall not exceed One Hundred Eighteen Thousand One Hundred  
15 Ninety-one Dollars (\$118,191.00) per annum, payable monthly for the  
16 fiscal year ending June 30, 2009. The Oklahoma Indigent Defense  
17 System for the fiscal year ending June 30, 2009, shall be subject to  
18 the following budgetary limitations on full-time-equivalent  
19 employees, except those used for the statewide Trial Indigent  
20 Defense System, except as may be authorized pursuant to the  
21 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

22	<u>Budgetary Limitation</u>	<u>Amount</u>
23	Full-Time-Equivalent Employees	85.0
24	Lease-Purchase Agreements	\$0.00

1 SECTION 3. Appropriations made by Section 120 of Enrolled House  
2 Bill No. 2276 of the 2nd Session of the 51st Oklahoma Legislature,  
3 not including appropriations made for capital outlay purposes, may  
4 be budgeted for the fiscal year ending June 30, 2009 (hereafter FY-  
5 09) or may be budgeted for the fiscal year ending June 30, 2010  
6 (hereafter FY-10). Funds budgeted for FY-09 may be encumbered only  
7 through June 30, 2009, and must be expended by November 15, 2009.  
8 Any funds remaining after November 15, 2009, and not budgeted for  
9 FY-10, shall lapse to the credit of the proper fund for the then  
10 current fiscal year. Funds budgeted for FY-10 may be encumbered  
11 only through June 30, 2010. Any funds remaining after November 15,  
12 2010, shall lapse to the credit of the proper fund for the then  
13 current fiscal year. These appropriations may not be budgeted in  
14 both fiscal years simultaneously. Funds budgeted in FY-09, and not  
15 required to pay obligations for that fiscal year, may be budgeted  
16 for FY-10, after the agency to which the funds have been  
17 appropriated has prepared and submitted a budget work program  
18 revision removing these funds from the FY-09 budget work program and  
19 after such revision has been approved by the Office of State  
20 Finance.

21 SECTION 4. This act shall become effective July 1, 2008.

22 SECTION 5. It being immediately necessary for the preservation  
23 of the public peace, health and safety, an emergency is hereby  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3

4 51-2-15560 MA 04/30/08

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24