

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 1335

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

6 and

7 Miller and Jones of the
8 House

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma State Bureau of
12 Investigation; requiring budgeting in certain
13 categories and amounts; requiring performance
14 measures; providing for the duties and compensation
15 of employees; limiting salary of the Director;
16 providing budgetary limitations; providing exception
17 to budgetary limitations; authorizing transfer of
18 funds to an agency special account for certain
19 purposes; limiting amount authorized to be
20 transferred; requiring certain report; specifying
21 duties for certain full-time-equivalent employees;
22 making their employment contingent on certain
23 funding; authorizing exemption of certain federal
24 funds from expenditure limitations; specifying how
funds will be used; providing lapse dates; requiring
and prohibiting certain budget practices; providing
an effective date; and declaring an emergency.

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

22 SECTION 1. For the fiscal year ending June 30, 2009, the
23 Oklahoma State Bureau of Investigation shall budget all funds in the
24 following categories and amounts:

1	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
2	Administration	\$ 60,000.00	\$ 4,225,000.00
3	Investigative Services	9,455,735.00	14,550,000.00
4	Criminalistic Services	6,676,894.00	15,825,000.00
5	Information Services	1,101,545.00	6,025,000.00
6	Information Technology		
7	Services	<u>22,276.00</u>	<u>4,000,000.00</u>
8	TOTAL	\$17,316,450.00	\$44,625,000.00

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

11 SECTION 2. The duties and compensation of employees, not
12 otherwise prescribed by law, necessary to perform the duties imposed
13 upon the Oklahoma State Bureau of Investigation by law shall be set
14 by the Director. The salary of the Director shall not exceed Eighty
15 Thousand One Hundred Thirty-eight Dollars (\$80,138.00) per annum,
16 payable monthly for the fiscal year ending June 30, 2009. The
17 Oklahoma State Bureau of Investigation for the fiscal year ending
18 June 30, 2009, shall be subject to the following budgetary
19 limitations on full-time-equivalent employees and expenditures
20 excluding expenditures for capital and special projects, except as
21 may be authorized pursuant to the provisions of Section 3603 of
22 Title 74 of the Oklahoma Statutes:

23	<u>Budgetary Limitation</u>	<u>Amount</u>
24	Full-time-equivalent Employees	318.0

1 Lease-Purchase Agreements \$0.00

2 Full-time-equivalent employees solely paid by grant funds shall
3 not count against the agency's budgetary limitations as specified in
4 this section.

5 SECTION 3. Of the amount appropriated to the Oklahoma State
6 Bureau of Investigation by Section 98 of Enrolled House Bill No.
7 2276 of the 2nd Session of the 51st Oklahoma Legislature, a maximum
8 of Fifty Thousand Dollars (\$50,000.00) may be transferred to an
9 agency special account for the purpose of purchasing evidence items,
10 paying fees to informers or special employees, paying expenses
11 incurred in the prosecution and defense of civil actions, and paying
12 other expenses as incurred under the Evidence Fund activity in
13 trying to apprehend and convict violators of the laws of the state.
14 The Oklahoma State Bureau of Investigation shall report income to
15 the Evidence Fund annually pursuant to the provisions of Sections
16 41.7c and 41.29 of Title 62 of the Oklahoma Statutes.

17 SECTION 4. Of the total number of full-time-equivalent employee
18 positions authorized for the Oklahoma State Bureau of Investigation
19 in this act, eleven (11.0) shall perform duties in accordance with
20 the Criminal Intelligence Unit and nine (9.0) shall perform duties
21 in accordance with the Criminal Records Audit Unit. The
22 continuation of these full-time-equivalent employees is contingent
23 upon sufficient agency revolving funds to support them.

1 SECTION 5. The Director of the Oklahoma State Bureau of
2 Investigation may request that the receipt and expenditure of
3 unanticipated federal funds after July 1, 2008, be exempt from
4 expenditure limitations, provided that any such funds are used for
5 operations and shall be included in the agency's budget work
6 program.

7 SECTION 6. Appropriations made by Section 98 of Enrolled House
8 Bill No. 2276 of the 2nd Session of the 51st Oklahoma Legislature,
9 not including appropriations made for capital outlay purposes, may
10 be budgeted for the fiscal year ending June 30, 2009 (hereafter FY-
11 09), or may be budgeted for the fiscal year ending June 30, 2010
12 (hereafter FY-10). Funds budgeted for FY-09 may be encumbered only
13 through June 30, 2009, and must be expended by November 15, 2009.
14 Any funds remaining after November 15, 2009, and not budgeted for
15 FY-10, shall lapse to the credit of the proper fund for the then
16 current fiscal year. Funds budgeted for FY-10 may be encumbered
17 only through June 30, 2010. Any funds remaining after November 15,
18 2010, shall lapse to the credit of the proper fund for the then
19 current fiscal year. These appropriations may not be budgeted in
20 both fiscal years simultaneously. Funds budgeted in FY-09, and not
21 required to pay obligations for that fiscal year, may be budgeted
22 for FY-10, after the agency to which the funds have been
23 appropriated has prepared and submitted a budget work program
24 revision removing these funds from the FY-09 budget work program and

1 after such revision has been approved by the Office of State
2 Finance.

3 SECTION 7. This act shall become effective July 1, 2008.

4 SECTION 8. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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