

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2324

By: Bengé and Miller of the
House

4 and

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

8
9 AS INTRODUCED

10 An Act relating to the District Attorneys Council;
11 making an appropriation to the Office of the Attorney
12 General for the benefit of the District Attorneys
13 Council; stating purposes; authorizing transfers of
14 certain funds; requiring budgeting in certain
15 categories and amounts; requiring certain performance
16 measures; providing for duties and compensation of
17 employees; providing budgetary limitations;
18 authorizing the District Attorneys Council to hire
19 certain number of legal interns for certain period of
20 time; exempting interns from budgetary limitations;
21 providing lapse dates; requiring and prohibiting
22 certain budget practices; providing an effective
23 date; and declaring an emergency.

18
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. There is hereby appropriated to the Office of the
21 Attorney General from any monies not otherwise appropriated from the
22 General Revenue Fund of the State Treasury for the fiscal year
23 ending June 30, 2009, the sum of _____ Dollars (\$0.00) or so
24 much thereof as may be necessary to perform the duties imposed upon

1 the district attorneys and the District Attorneys Council by law.
2 Of the funds appropriated herein, the Office of the Attorney General
3 shall transfer up to the sum of _____ Dollars (\$0.00) or so
4 much thereof as may be required by the district attorneys and
5 District Attorneys Council to the District Attorneys Evidence Fund
6 for necessary expenses relative to any case within the official
7 responsibility of the offices of the district attorneys as provided
8 by Section 215.40 of Title 19 of the Oklahoma Statutes.

9 SECTION 2. For the fiscal year ending June 30, 2009, the
10 District Attorneys Council is authorized to transfer an amount not
11 to exceed _____ Dollars (\$0.00), on an as-needed
12 basis, from the Crime Victims Compensation Revolving Fund created by
13 Section 142.17 of Title 21 of the Oklahoma Statutes to the Sexual
14 Assault Examination Fund created by Section 142.20 of Title 21 of
15 the Oklahoma Statutes.

16 SECTION 3. For the fiscal year ending June 30, 2009, up to
17 _____ Dollars (\$0.00) is authorized to be transferred
18 from the Crime Victims Compensation Revolving Fund, created by
19 Section 142.17 of Title 21 of the Oklahoma Statutes to the District
20 Attorneys Council for eight (8) employees, including related duties
21 to support the Crime Victims Compensation Board.

22 SECTION 4. For the fiscal year ending June 30, 2009, up to
23 _____ Dollars (\$0.00) is authorized to be transferred from
24 the Crime Victims Compensation Revolving Fund, created by Section

1 142.17 of Title 21 of the Oklahoma Statutes to the District
2 Attorneys Council for duties to support Victim-Witness Services.

3 SECTION 5. For the fiscal year ending June 30, 2009, the
4 District Attorneys Council shall budget all funds in the following
5 categories and amounts:

6	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
7	Prosecutorial Services	\$0.00	\$0.00
8	General Administration	0.00	0.00
9	Child Support Services	0.00	0.00
10	Bogus Check Enforcement and		
11	Restitution	0.00	0.00
12	Federal Grant Programs	0.00	0.00
13	Federal Pass-Through Grants	0.00	0.00
14	Drug Asset Forfeiture	0.00	0.00
15	Crime Victim Services	<u>0.00</u>	<u>0.00</u>
16	TOTAL	\$0.00	\$0.00

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

19 SECTION 6. The duties and compensation of employees, not
20 otherwise prescribed by law, necessary to perform the duties imposed
21 upon the district attorneys and District Attorneys Council by law
22 shall be set by the District Attorneys Council except as otherwise
23 provided in Chapter 7A of Title 19 of the Oklahoma Statutes. The
24 District Attorneys Council for the fiscal year ending June 30, 2009,

1 shall be subject to the following budgetary limitations on full-
2 time-equivalent employees and expenditures excluding expenditures
3 for capital and special projects, except as may be authorized
4 pursuant to the provisions of Section 3603 of Title 74 of the
5 Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-Time-Equivalent Employees	0.0
Lease-Purchase Agreements	\$0.00

9 SECTION 7. The District Attorneys Council is hereby authorized
10 to hire twenty (20) legal interns for the fiscal year ending June
11 30, 2009. Such interns shall be exempt from the budgetary
12 limitations as provided in Section 6 of this act.

13 SECTION 8. Appropriations made by this act, not including
14 appropriations made for capital outlay purposes, may be budgeted for
15 the fiscal year ending June 30, 2009 (hereafter FY-09) or may be
16 budgeted for the fiscal year ending June 30, 2010 (hereafter FY-10).
17 Funds budgeted for FY-09 may be encumbered only through June 30,
18 2009, and must be expended by November 15, 2009. Any funds
19 remaining after November 15, 2009, and not budgeted for FY-10, shall
20 lapse to the credit of the proper fund for the then current fiscal
21 year. Funds budgeted for FY-10 may be encumbered only through June
22 30, 2010. Any funds remaining after November 15, 2010, shall lapse
23 to the credit of the proper fund for the then current fiscal year.
24 These appropriations may not be budgeted in both fiscal years

1 simultaneously. Funds budgeted in FY-09, and not required to pay
2 obligations for that fiscal year, may be budgeted for FY-10, after
3 the agency to which the funds have been appropriated has prepared
4 and submitted a budget work program revision removing these funds
5 from the FY-09 budget work program and after such revision has been
6 approved by the Office of State Finance.

7 SECTION 9. This act shall become effective July 1, 2008.

8 SECTION 10. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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