

EHB 2533

1 THE STATE SENATE
2 Tuesday, March 25, 2008

3 ENGROSSED

4 House Bill No. 2533

5 ENGROSSED HOUSE BILL NO. 2533 - By: McCullough of the House and
6 Williamson of the Senate.

7 An Act relating to criminal procedure; amending 22 O.S.
8 2001, Section 1094, which relates to the Interstate Compact
9 for Adult Offender Supervision; modifying membership of
10 Oklahoma State Council for Interstate Adult Offender
11 Supervision; and providing an effective date.

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

13 SECTION 1. AMENDATORY 22 O.S. 2001, Section 1094, is
14 amended to read as follows:

15 Section 1094. A. There is hereby created the Oklahoma State
16 Council for Interstate Adult Offender Supervision in accordance with
17 Article IV of the Interstate Compact for Interstate Adult Offender
18 Supervision. The State Council shall consist of the compact
19 administrator, Executive Coordinator or designee of the District
20 Attorneys Council, Executive Director or designee of the Oklahoma
21 Indigent Defense System and the Administrative Director of the
22 Courts or designee, who shall be a nonvoting ~~member~~ members and five
23 appointed members who, except for the initial appointments, shall be
24 appointed for three-year terms. The members appointed to initial
25 terms shall serve staggered terms as prescribed in this section.
26 Terms of office shall expire on June 30. Members may be reappointed

1 as deemed appropriate by the appointing authority. Members may be
2 removed by the appointing authority for incompetence, willful
3 neglect of duty, corruption in office, or malfeasance in office.
4 Vacancies shall be filled in the same manner as the original
5 appointment. The members of the Council shall not be subject to the
6 dual office holding prohibitions set forth in Section 6 of Title 51
7 of the Oklahoma Statutes. The members shall be appointed as
8 follows:

9 1. One member of the Senate, who shall serve an initial term of
10 three (3) years, who shall be appointed by the President Pro
11 Tempore;

12 2. One member of the House of Representatives, who shall serve
13 an initial term of three (3) years, who shall be appointed by the
14 Speaker of the House of Representatives;

15 3. One member of the judiciary who shall be a district judge
16 with experience in criminal proceedings, who shall serve an initial
17 term of two (2) years, to be appointed by the Presiding Judge of the
18 Court of Criminal Appeals;

19 4. One member of the Pardon and Parole Board, who shall serve
20 an initial term of two (2) years, who shall be appointed by the
21 Governor with the advice and consent of the Senate; and

1 5. One member who represents a crime victims advocacy group,
2 who shall serve an initial term of one (1) year, to be appointed by
3 the Governor.

4 B. The members of the State Council shall elect from their
5 membership a chair and vice-chair to serve for one (1) year terms.
6 A majority of the members shall constitute a quorum for the purpose
7 of conducting the business of the Council. The Council shall meet
8 at least annually and at the call of the chair.

9 C. The Council shall comply with the Oklahoma Open Meeting Act,
10 the Oklahoma Open Records Act, and the Oklahoma Administrative
11 Procedures Act.

12 D. Members of the Council, except the compact administrator,
13 shall serve without compensation but shall be reimbursed by their
14 appointing authorities for expenses incurred in the performance of
15 their duties as provided in the State Travel Reimbursement Act until
16 the Council is funded.

17 E. The Council shall oversee and administer this state's
18 participation in the Compact. The Council may promulgate rules to
19 implement operations and procedures necessary for administration of
20 the compact.

21 F. Until the Compact becomes effective upon its adoption by
22 thirty-five states, the Council may select a person who is employed
23 by a state agency, subject to the assent of the administrative head

1 of the agency, to serve as the compact administrator. The agency
2 that employs the compact administrator shall pay the salary of the
3 compact administrator and any expenses the compact administrator
4 incurs in fulfilling duties related to the Compact. The Council and
5 the administrative head of the agency shall determine what portion
6 of the employee's time shall be devoted to Compact activities. The
7 compact administrator shall serve as this state's commissioner on
8 the Interstate Commission for Adult Offender Supervision. In the
9 event the compact administrator cannot attend a meeting of the
10 Interstate Commission, the Council shall appoint a Council member to
11 represent this state at the meeting.

12 SECTION 2. This act shall become effective November 1, 2008.

13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-25-08 - DO
14 PASS.