

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1240

By: Miller and Martin (Scott)
of the House

7 and

8 Johnson (Mike) and Myers of
9 the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

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

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

1 SECTION 1. For the fiscal year ending June 30, 2010, the
 2 Oklahoma State Bureau of Investigation shall budget all funds in the
 3 following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
4 Administration	\$ 0.00	\$ 4,200,000.00
5 Investigative Services	8,100,000.00	14,000,000.00
6 Information Services	2,507,029.00	6,650,000.00
7 Criminalistic Services	6,500,000.00	14,500,000.00
8 Information Technology Services	<u>0.00</u>	<u>6,550,000.00</u>
9 TOTAL	\$17,107,029.00	\$45,900,000.00

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 of the Oklahoma State Bureau of Investigation. The
 15 salary of the Director of the Oklahoma State Bureau of Investigation
 16 shall not exceed Eighty Thousand One Hundred Thirty-eight Dollars
 17 (\$80,138.00) per annum, payable monthly for the fiscal year ending
 18 June 30, 2010. The Oklahoma State Bureau of Investigation for the
 19 fiscal year ending June 30, 2010, shall be subject to the following
 20 budgetary limitations on full-time-equivalent employees and
 21 expenditures excluding expenditures for capital and special
 22 projects, except as may be authorized pursuant to the provisions of
 23 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
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1	Full-Time-Equivalent Employees	332.0
2	Lease-Purchase Agreements	\$0.00

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

6 SECTION 3. Of the amount appropriated to the Oklahoma State
7 Bureau of Investigation by Section 105 of Enrolled Senate Bill No.
8 216 of the 1st Session of the 52nd Oklahoma Legislature, a maximum
9 of Fifty Thousand Dollars (\$50,000.00) may be transferred to an
10 agency special account for the purpose of purchasing evidence items,
11 paying fees to informers or special employees, paying expenses
12 incurred in the prosecution and defense of civil actions, and paying
13 other expenses as incurred under the Evidence Fund activity in
14 trying to apprehend and convict violators of the laws of the state.
15 The Oklahoma State Bureau of Investigation shall report income to
16 the Evidence Fund annually pursuant to the provisions of Sections
17 41.7c and 41.29 of Title 62 of the Oklahoma Statutes.

18 SECTION 4. Of the total number of full-time-equivalent employee
19 positions authorized for the Oklahoma State Bureau of Investigation
20 in this act, eleven shall perform duties in accordance with the
21 Criminal Intelligence Unit and nine shall perform duties in
22 accordance with the Criminal Records Audit Unit. The continuation
23 of these full-time-equivalent employees is contingent upon
24 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, 2009, 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 105 of Enrolled
8 Senate Bill No. 216 of the 1st Session of the 52nd Oklahoma
9 Legislature, not including appropriations made for capital outlay
10 purposes, may be budgeted for the fiscal year ending June 30, 2010
11 (hereafter FY-10) or may be budgeted for the fiscal year ending June
12 30, 2011 (hereafter FY-11). Funds budgeted for FY-10 may be
13 encumbered only through June 30, 2010, and must be expended by
14 November 15, 2010. Any funds remaining after November 15, 2010, and
15 not budgeted for FY-11, shall lapse to the credit of the proper fund
16 for the then current fiscal year. Funds budgeted for FY-11 may be
17 encumbered only through June 30, 2011. Any funds remaining after
18 November 15, 2011, shall lapse to the credit of the proper fund for
19 the then current fiscal year. These appropriations may not be
20 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
21 10, and not required to pay obligations for that fiscal year, may be
22 budgeted for FY-11, 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-10 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, 2009.

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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