

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 803

By: Sykes of the Senate

and

Cooksey of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to corrections; amending 57 O.S.
11 2001, Section 537, as amended by Section 3, Chapter
12 171, O.S.L. 2008 (57 O.S. Supp. 2008, Section 537),
13 which relates to canteen operations; removing
14 requirement for state employees to operate canteen;
15 and declaring an emergency.

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

17 SECTION 1. AMENDATORY 57 O.S. 2001, Section 537, as
18 amended by Section 3, Chapter 171, O.S.L. 2008 (57 O.S. Supp. 2008,
19 Section 537), is amended to read as follows:

20 Section 537. A. There shall be established a Canteen System
21 Board of Directors for all canteen system services operated within
22 the Department of Corrections. The members of the Canteen System
23 Board shall be appointed by the Director of the Department of
24 Corrections. All canteen system operations shall be under the
control of the Canteen System Board and shall operate pursuant to

1 written guidelines established by the Board. The overall canteen
2 operation composed of all correctional facility canteen operations,
3 inmate telephone systems and inmate electronic mail systems shall be
4 collectively called the Canteen System and such system shall be
5 required to be self-supporting from sales receipts.

6 B. Each correctional facility may have a canteen system
7 operation. Each facility canteen system when established shall
8 require the warden of such facility or a designee to oversee the
9 day-to-day canteen system operations according to the guidelines set
10 by the Canteen System Board. The Chief Financial Officer of the
11 Department shall act as custodian of all canteen system funds and be
12 responsible for all expenditures from the canteen system accounts.
13 The Chief Financial Officer shall make daily deposits of all sales
14 receipts in the canteen system accounts. Canteen system profits
15 generated by items or services for resale shall be identified
16 monthly by the Chief Financial Officer and transferred periodically
17 from the canteen system account to the Department of Corrections
18 Inmate and Employee Welfare and Canteen System Support Revolving
19 Fund. All disbursements made from the canteen system account shall
20 be by voucher approved by the Chief Financial Officer and shall be
21 payable through the Office of the State Treasurer. Documentation of
22 each disbursement shall be kept on file by the Department. Canteen
23 system records may be disposed of in accordance with the records
24 disposition schedule approved by the Archives and Records

1 Commission. The Department shall notify the State Records
2 Administrator thirty (30) days in advance of its intent to dispose
3 of any canteen records. The Department shall follow accounting
4 procedures in accordance with state fiscal accounting procedures in
5 administering canteen system funds. All profits from the canteen
6 system shall be used exclusively for the benefit of the inmates of
7 the various institutions and personnel of the Department of
8 Corrections and support of canteen system operations as determined
9 by the Canteen System Board of Directors pursuant to subsection A of
10 this section.

11 C. ~~Employees utilized in the operation of the canteen services~~
12 ~~at each institution shall be state employees.~~ Inmates may work in a
13 correctional facility canteen and shall receive reimbursement for
14 such work through the institution incentive pay program.

15 D. All correctional facilities canteen system operations and
16 canteen system accounts shall be subject to an annual audit by the
17 Office of the State Auditor and Inspector. Reports of the audit
18 shall be provided to the Governor, the Speaker of the House of
19 Representatives, the President Pro Tempore of the Senate, the
20 Legislative Service Bureau, the Department of Corrections, and to
21 the warden of the concerned institution.

22 E. Merchandise and services to be purchased for resale or
23 distribution through the canteen system, inmate telephone equipment
24 or services, and inmate electronic mail equipment and services shall

1 be purchased by voucher drawn against canteen system accounts and
2 all such purchases of goods and services shall be exempted from the
3 provisions of The Oklahoma Central Purchasing Act. All revenues
4 from canteen operations, inmate telephone system services and inmate
5 electronic mail system operations shall be used exclusively for the
6 benefit of the inmates of the various institutions and personnel of
7 the Department of Corrections as determined by the Canteen System
8 Board of Directors.

9 SECTION 2. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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