

ENROLLED HOUSE
BILL NO. 1228

By: Miller, Martin (Scott) and
Roan of the House

and

Johnson (Mike) and Myers of
the Senate

An Act relating to the Department of Corrections;
requiring budgeting of funds in certain categories
and amounts; providing for duties and compensation of
employees; limiting salary of the Director;
authorizing employment of certain percentage of
employees in the unclassified service; providing
budgetary limitations; authorizing certain agreement
for construction projects; 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:

SECTION 1. For the fiscal year ending June 30, 2010, the
Department of Corrections shall budget all funds in the following
categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 38,165,474.00	\$ 49,925,238.00
Institutions and Field Operations	214,063,127.00	263,791,442.00
Contract Beds	116,854,269.00	121,278,274.00
Community Corrections	56,814,205.00	60,814,205.00

Treatment and Rehabilitative Services	<u>77,102,925.00</u>	<u>93,178,513.00</u>
TOTAL	\$503,000,000.00	\$588,987,672.00

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Corrections by law shall be set by the Director of the Department of Corrections. The salary of the Director of the Department of Corrections shall not exceed One Hundred Thirty-two Thousand Three Hundred Nine Dollars (\$132,309.00) per annum, payable monthly for the fiscal year ending June 30, 2010. The Department of Corrections for the fiscal year ending June 30, 2010, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	5,894.6
Lease-Purchase Agreements	\$10,400,000.00

SECTION 3. The Department of Corrections is hereby authorized to enter into an agreement with the state agencies to utilize prison inmates for construction projects subject to written restrictions and conditions regarding security classification and other matters related to the control of inmates and public safety. Before utilizing inmates, the Department of Corrections shall enter into a written agreement concerning, but not limited to, liability, funding, pay, public security and transportation. Provided further, that prison inmates shall not be used to replace any current state agency employees.

SECTION 4. Appropriations made by Sections 130 and 131 of Enrolled Senate Bill No. 216 of the 1st Session of the 52nd Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2010 (hereafter FY-10) or may be budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11). Funds budgeted for FY-10 may be encumbered only through June 30, 2010, and must be expended by November 15, 2010. Any funds remaining after November 15, 2010, and

not budgeted for FY-11, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-11 may be encumbered only through June 30, 2011. Any funds remaining after November 15, 2011, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-10, and not required to pay obligations for that fiscal year, may be budgeted for FY-11, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-10 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 5. This act shall become effective July 1, 2009.

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

Passed the House of Representatives the 20th day of May, 2009.

Presiding Officer of the House of
Representatives

Passed the Senate the 20th day of May, 2009.

Presiding Officer of the Senate