

ENROLLED HOUSE  
BILL NO. 1248

By: Miller and Martin (Scott)  
of the House

and

Johnson (Mike) and Myers of  
the Senate

An Act relating to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing exception to budgetary limitations; limiting amount of appropriation which may be used for certain purpose; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring promulgation of certain rules; authorizing exemption of certain federal funds from expenditure limitations; specifying how 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:

SECTION 1. For the fiscal year ending June 30, 2010, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$1,090,390.00	\$ 3,000,000.00

Enforcement	2,802,602.00	10,000,000.00
Wire Intercept/Drug Interdiction	1,100,180.00	4,000,000.00
Diversion	624,065.00	4,000,000.00
Information Technology/Communications	319,480.00	4,000,000.00
Prevention, Education and Training	<u>363,005.00</u>	<u>2,000,000.00</u>
TOTAL	\$6,299,722.00	\$27,000,000.00

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by law shall be set by the Director. The salary of the Director shall not exceed Ninety-six Thousand Three Hundred Five Dollars (\$96,305.00) per annum, payable monthly for the fiscal year ending June 30, 2010. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control 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	113.0
Lease-Purchase Agreements	\$225,000.00

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

SECTION 3. Of the amount appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by Sections 110 and 111 of Enrolled Senate Bill No. 216 of the 1st Session of the 52nd Oklahoma Legislature, an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) may be transferred to an agency special account established pursuant to the provisions of Section 7.2 of

Title 62 of the Oklahoma Statutes. Funds in this account are to purchase controlled dangerous substances to be used as evidence in narcotics cases, for fees for informers, or employees, and for other expenses necessary to apprehend and convict violators of state laws regulating controlled dangerous substances. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and the Director of State Finance shall promulgate rules for the expenditure of the funds transferred by this section.

SECTION 4. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control may request that the receipt and expenditure of unanticipated federal funds after July 1, 2009, be exempt from expenditure limitations, provided that any such funds are used for operations and shall be included in the agency's budget work program.

SECTION 5. Appropriations made by Sections 110 and 111 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 6. This act shall become effective July 1, 2009.

SECTION 7. 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.

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Presiding Officer of the House of  
Representatives

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

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Presiding Officer of the Senate