

ENROLLED SENATE
BILL NO. 189

By: Johnson (Mike) and Myers of
the Senate

and

Miller and Martin (Scott)
of the House

An Act relating to the Court of Criminal Appeals;
requiring budgeting in certain categories and
amounts; authorizing employment of temporary
employees; exempting temporary employees from
budgetary limitations; providing for the duties and
compensation of employees; providing budgetary
limitations; 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 Court
of Criminal Appeals shall budget all funds in the following
categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$3,304,551.00	\$3,750,000.00

SECTION 2. The Court of Criminal Appeals is authorized to
employ temporary employees as may be necessary to maintain timely
disposition of criminal appeal cases. Personnel employed pursuant
to the provisions of this section shall be exempt from the
limitation on full-time-equivalent employees provided in Section 3
of this act.

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Criminal Appeals by law shall be set by the Judges of the Court of Criminal Appeals. The Court of Criminal Appeals 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	36.0
Lease-Purchase Agreements	\$0.00

SECTION 4. Appropriations made by Section 120 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 Senate the 20th day of May, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of May, 2009.

Presiding Officer of the House
of Representatives