

THE HOUSE OF REPRESENTATIVES
Monday, February 9, 2009

House Bill No. 1074

HOUSE BILL NO. 1074 - By: COOKSEY of the House and SYKES of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Section 537, as amended by Section 3, Chapter 171, O.S.L. 2008 (57 O.S. Supp. 2008, Section 537), which relates to canteen system operations within the Department of Corrections; deleting requirement that canteen service operations be performed by state employees; and providing an effective date.

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

1 SECTION 1. AMENDATORY 57 O.S. 2001, Section 537, as amended by
2 Section 3, Chapter 171, O.S.L. 2008 (57 O.S. Supp. 2008, Section 537), is amended to
3 read as follows:
4 Section 537. A. There shall be established a Canteen System Board of Directors for
5 all canteen system services operated within the Department of Corrections. The
6 members of the Canteen System Board shall be appointed by the Director of the
7 Department of Corrections. All canteen system operations shall be under the control of
8 the Canteen System Board and shall operate pursuant to written guidelines established
9 by the Board. The overall canteen operation composed of all correctional facility canteen
10 operations, inmate telephone systems and inmate electronic mail systems shall be
11 collectively called the Canteen System and such system shall be required to be self-
12 supporting from sales receipts.

1 B. Each correctional facility may have a canteen system operation. Each facility
2 canteen system when established shall require the warden of such facility or a designee
3 to oversee the day-to-day canteen system operations according to the guidelines set by
4 the Canteen System Board. The Chief Financial Officer of the Department shall act as
5 custodian of all canteen system funds and be responsible for all expenditures from the
6 canteen system accounts. The Chief Financial Officer shall make daily deposits of all
7 sales receipts in the canteen system accounts. Canteen system profits generated by
8 items or services for resale shall be identified monthly by the Chief Financial Officer and
9 transferred periodically from the canteen system account to the Department of
10 Corrections Inmate and Employee Welfare and Canteen System Support Revolving
11 Fund. All disbursements made from the canteen system account shall be by voucher
12 approved by the Chief Financial Officer and shall be payable through the Office of the
13 State Treasurer. Documentation of each disbursement shall be kept on file by the
14 Department. Canteen system records may be disposed of in accordance with the records
15 disposition schedule approved by the Archives and Records Commission. The
16 Department shall notify the State Records Administrator thirty (30) days in advance of
17 its intent to dispose of any canteen records. The Department shall follow accounting
18 procedures in accordance with state fiscal accounting procedures in administering
19 canteen system funds. All profits from the canteen system shall be used exclusively for
20 the benefit of the inmates of the various institutions and personnel of the Department of
21 Corrections and support of canteen system operations as determined by the Canteen
22 System Board of Directors pursuant to subsection A of this section.

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

4 D. All correctional facilities canteen system operations and canteen system
5 accounts shall be subject to an annual audit by the Office of the State Auditor and
6 Inspector. Reports of the audit shall be provided to the Governor, the Speaker of the
7 House of Representatives, the President Pro Tempore of the Senate, the Legislative
8 Service Bureau, the Department of Corrections, and to the warden of the concerned
9 institution.

10 E. Merchandise and services to be purchased for resale or distribution through the
11 canteen system, inmate telephone equipment or services, and inmate electronic mail
12 equipment and services shall be purchased by voucher drawn against canteen system
13 accounts and all such purchases of goods and services shall be exempted from the
14 provisions of The Oklahoma Central Purchasing Act. All revenues from canteen
15 operations, inmate telephone system services and inmate electronic mail system
16 operations shall be used exclusively for the benefit of the inmates of the various
17 institutions and personnel of the Department of Corrections as determined by the
18 Canteen System Board of Directors.

19 SECTION 2. This act shall become effective November 1, 2009.

20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/05/09 - DO
21 PASS, As Coauthored.