

THE HOUSE OF REPRESENTATIVES  
Monday, March 1, 2010

Committee Substitute for  
House Bill No. 3385

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3385 - By: TERRILL AND DORMAN of the House.

( state government - accrual of annual leave in lieu of compensation - eligible employees - procedures - accrual limitations - cash compensation – codification – emergency )

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

- 1           SECTION 1.   NEW LAW   A new section of law to be codified in the Oklahoma  
2 Statutes as Section 840-2.20-1 of Title 74, unless there is created a duplication in  
3 numbering, reads as follows:
- 4           A. As used in this section:
- 5           1. “Eligible agency” means:
- 6               a.     the Department of Public Safety,  
7               b.     the Department of Human Services,  
8               c.     the Department of Transportation,  
9               d.     the Oklahoma Turnpike Authority,  
10              e.     the Office of Juvenile Affairs,  
11              f.     the Department of Mental Health and Substance Abuse Services,

1 g. the Department of Corrections, and

2 h. the Oklahoma Department of Veterans Affairs;

3 2. "Eligible employee" means any person employed by an eligible agency who  
4 voluntarily performs the duties and responsibilities of the position for an eligible agency  
5 during a time period when the employee would otherwise have been furloughed; and

6 3. "Special annual leave" means the form of compensation in the form of annual  
7 leave authorized pursuant to the provisions of this section.

8 B. For the fiscal year beginning July 1, 2009, and for any fiscal year thereafter, an  
9 eligible agency which has filed a furlough plan with the Office of Personnel Management  
10 may provide specialized annual leave, in addition to the annual leave authorized  
11 pursuant to Section 840-2.20 of Title 74 of the Oklahoma Statutes, to an employee who  
12 would otherwise be subject to furlough and who voluntarily works during a time period  
13 that the employee would otherwise not have worked because of the furlough plan.

14 C. No employee shall be required to work during any period of time for which the  
15 eligible agency does not have adequate funds to pay the regular compensation to the  
16 employee.

17 D. If an employee of an eligible agency elects to work during a time period  
18 described by subsection B of this section, the eligible agency shall provide one and one-  
19 half (1 1/2) days of specialized annual leave as authorized by this section for each day  
20 that an eligible employee works.

21 E. Notwithstanding any other provision of law to the contrary, there shall be no  
22 limit on the number of specialized annual leave days provided to an employee pursuant

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 to the provisions of this section. The specialized annual leave authorized by this section  
2 shall not be subject to the accrual limitations for annual leave prescribed by Section 840-  
3 2.20 of Title 74 of the Oklahoma Statutes.

4 F. Notwithstanding any other provision of law to the contrary, there shall be no  
5 restrictions on the time period during which the specialized annual leave authorized by  
6 this section may be used by the eligible employee other than a restriction on use of such  
7 specialized annual leave during a period of time when an eligible employee would  
8 otherwise be furloughed.

9 G. The specialized annual leave authorized by this section may be paid for by an  
10 eligible agency in the same manner as authorized by law for payment of annual leave as  
11 provided by Section 840-2.20 of Title 74 of the Oklahoma Statutes.

12 H. An eligible agency which provides specialized annual leave to an eligible  
13 employee pursuant to the provisions of this section shall not be required to pay cash  
14 compensation to the employee for work performed during a time period the eligible  
15 employee would otherwise have been furloughed.

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

19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
20 dated 02-25-10 - DO PASS, As Amended and Coauthored.