

EHB 2944

1 THE STATE SENATE
2 Thursday, March 25, 2010

3 ENGROSSED

4 House Bill No. 2944

5 As Amended

6 ENGROSSED HOUSE BILL NO. 2944 - By: Jordan of the House and Crain of
7 the Senate.

8 [fees - subpoena of certain employees - witnesses - state
9 legislative intent - effective date]

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

11 SECTION 1. AMENDATORY 28 O.S. 2001, Section 84.1, as
12 amended by Section 2, Chapter 192, O.S.L. 2005 (28 O.S. Supp. 2009,
13 Section 84.1) is amended to read as follow:

14 Section 84.1 A. Any employee of the state or any political
15 subdivision thereof who is subpoenaed as a witness to testify on any
16 matter pertaining to their employment, including any investigation
17 conducted by the employee as a duty of said employment for which he
18 is fully compensated, shall not be entitled to receive the witness
19 fee and reimbursement for mileage provided for in Section 81 of this
20 title, except as provided for in subsection B of this section.

21 However, if the employee is required by the subpoena to testify in a
22 county other than his county of residence or employment, he shall be
23 entitled to receive reimbursement pursuant to the State Travel
24 Reimbursement Act in accordance with Section 82 of this title. No

1 such witness shall receive such reimbursement in more than one case
2 covering the same period of time or the same travel. Each such
3 witness shall be required to make oath that the amounts claimed for
4 reimbursement have not been claimed or received in any other case or
5 from any other source.

6 B. It is the intent of the Legislature that court appearances
7 should not adversely affect the education of students enrolled in
8 school districts in this state. To the extent possible, court
9 appearances of public school district employees should be scheduled
10 to minimize the disruption of class time. If a school district
11 employee is subpoenaed to appear as a witness in a civil court
12 proceeding, except in a proceeding in which the school district or
13 the state is a party, the school district shall be entitled to a
14 witness fee equal to the amount of the substitute teacher cost, not
15 to exceed One Hundred Dollars (\$100.00) per day.

16 SECTION 2. This act shall become effective November 1, 2010.
17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-23-10 - DO
18 PASS, As Amended.