

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1074

By: Cooksey

4
5 AS INTRODUCED

6 An Act relating to prisons and reformatories;
7 amending 57 O.S. 2001, Section 537, as amended by
8 Section 3, Chapter 171, O.S.L. 2008 (57 O.S. Supp.
9 2008, Section 537), which relates to canteen system
10 operations within the Department of Corrections;
11 deleting requirement that canteen service operations
12 be performed by state employees; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 57 O.S. 2001, Section 537, as
16 amended by Section 3, Chapter 171, O.S.L. 2008 (57 O.S. Supp. 2008,
17 Section 537), is amended to read as follows:

18 Section 537. A. There shall be established a Canteen System
19 Board of Directors for all canteen system services operated within
20 the Department of Corrections. The members of the Canteen System
21 Board shall be appointed by the Director of the Department of
22 Corrections. All canteen system operations shall be under the
23 control of the Canteen System Board and shall operate pursuant to
24 written guidelines established by the Board. The overall canteen
operation composed of all correctional facility canteen operations,

1 inmate telephone systems and inmate electronic mail systems shall be
2 collectively called the Canteen System and such system shall be
3 required to be self-supporting from sales receipts.

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

1 of any canteen records. The Department shall follow accounting
2 procedures in accordance with state fiscal accounting procedures in
3 administering canteen system funds. All profits from the canteen
4 system shall be used exclusively for the benefit of the inmates of
5 the various institutions and personnel of the Department of
6 Corrections and support of canteen system operations as determined
7 by the Canteen System Board of Directors pursuant to subsection A of
8 this section.

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

13 D. All correctional facilities canteen system operations and
14 canteen system accounts shall be subject to an annual audit by the
15 Office of the State Auditor and Inspector. Reports of the audit
16 shall be provided to the Governor, the Speaker of the House of
17 Representatives, the President Pro Tempore of the Senate, the
18 Legislative Service Bureau, the Department of Corrections, and to
19 the warden of the concerned institution.

20 E. Merchandise and services to be purchased for resale or
21 distribution through the canteen system, inmate telephone equipment
22 or services, and inmate electronic mail equipment and services shall
23 be purchased by voucher drawn against canteen system accounts and
24 all such purchases of goods and services shall be exempted from the

1 provisions of The Oklahoma Central Purchasing Act. All revenues
2 from canteen operations, inmate telephone system services and inmate
3 electronic mail system operations shall be used exclusively for the
4 benefit of the inmates of the various institutions and personnel of
5 the Department of Corrections as determined by the Canteen System
6 Board of Directors.

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

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