

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1230

By: Miller and Martin (Scott)
of the House

4 and

5 Johnson (Mike) and Myers of
6 the Senate

7
8 AS INTRODUCED

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10 An Act relating to the Court of Criminal Appeals;
11 making an appropriation; stating purpose; requiring
12 budgeting in certain categories and amounts;
13 authorizing employment of temporary employees;
14 exempting temporary employees from budgetary
15 limitations; providing for the duties and
16 compensation of employees; providing budgetary
17 limitations; providing lapse dates; requiring and
18 prohibiting certain budget practices; providing an
19 effective date; and declaring an emergency.

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

23 SECTION 1. There is hereby appropriated to the Court of
24 Criminal Appeals from any monies not otherwise appropriated from the
General Revenue Fund of the State Treasury for the fiscal year
ending June 30, 2010, the sum of _____ Dollars (\$0.00) or
so much thereof as may be necessary to perform the duties imposed
upon the Court of Criminal Appeals by law.

1 SECTION 2. For the fiscal year ending June 30, 2010, the Court
2 of Criminal Appeals shall budget all funds in the following
3 categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$.00	\$.00

6 SECTION 3. The Court of Criminal Appeals is authorized to
7 employ temporary employees as may be necessary to maintain timely
8 disposition of criminal appeal cases. Personnel employed pursuant
9 to the provisions of this section shall be exempt from the
10 limitation on full-time-equivalent employees provided in Section 4
11 of this act.

12 SECTION 4. The duties and compensation of employees, not
13 otherwise prescribed by law, necessary to perform the duties imposed
14 upon the Court of Criminal Appeals by law shall be set by the Judges
15 of the Court of Criminal Appeals. The Court of Criminal Appeals for
16 the fiscal year ending June 30, 2010, shall be subject to the
17 following budgetary limitations on full-time-equivalent employees
18 and expenditures excluding expenditures for capital and special
19 projects, except as may be authorized pursuant to the provisions of
20 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-Time-Equivalent Employees	0.0
Lease-Purchase Agreements	\$0.00

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1 SECTION 5. Appropriations made by this act, not including
2 appropriations made for capital outlay purposes, may be budgeted for
3 the fiscal year ending June 30, 2010 (hereafter FY-10) or may be
4 budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11).
5 Funds budgeted for FY-10 may be encumbered only through June 30,
6 2010, and must be expended by November 15, 2010. Any funds
7 remaining after November 15, 2010, and not budgeted for FY-11, shall
8 lapse to the credit of the proper fund for the then current fiscal
9 year. Funds budgeted for FY-11 may be encumbered only through June
10 30, 2011. Any funds remaining after November 15, 2011, shall lapse
11 to the credit of the proper fund for the then current fiscal year.
12 These appropriations may not be budgeted in both fiscal years
13 simultaneously. Funds budgeted in FY-10, and not required to pay
14 obligations for that fiscal year, may be budgeted for FY-11, after
15 the agency to which the funds have been appropriated has prepared
16 and submitted a budget work program revision removing these funds
17 from the FY-10 budget work program and after such revision has been
18 approved by the Office of State Finance.

19 SECTION 6. This act shall become effective July 1, 2009.

20 SECTION 7. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 52-1-15136 MA 12/19/08

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