

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1232

By: Miller and Martin (Scott)
of the House

4
5 and

6 Johnson (Mike) and Myers of
the Senate

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8
9 AS INTRODUCED

10 An Act relating to the District Attorneys Council;
11 making an appropriation; stating purposes;
12 authorizing transfers of certain funds; requiring
13 budgeting in certain categories and amounts;
14 providing for duties and compensation of employees;
15 providing budgetary limitations; authorizing the
16 District Attorneys Council to hire certain number of
17 legal interns for certain period of time; exempting
18 interns from budgetary limitations; providing lapse
19 dates; requiring and prohibiting certain budget
20 practices; providing an effective date; and declaring
21 an emergency.

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

23 SECTION 1. There is hereby appropriated to the District
24 Attorneys Council 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 district attorneys and the District Attorneys Council by law.

1 Of the funds appropriated herein, the District Attorneys Council
2 shall transfer up to the sum of _____ Dollars (\$0.00) or so
3 much thereof as may be required by the district attorneys and
4 District Attorneys Council to the District Attorneys Evidence Fund
5 for necessary expenses relative to any case within the official
6 responsibility of the offices of the district attorneys as provided
7 by Section 215.40 of Title 19 of the Oklahoma Statutes.

8 SECTION 2. For the fiscal year ending June 30, 2010, the
9 District Attorneys Council is authorized to transfer an amount not
10 to exceed _____ Dollars (\$0.00), on an as-needed
11 basis, from the Crime Victims Compensation Revolving Fund created by
12 Section 142.17 of Title 21 of the Oklahoma Statutes to the Sexual
13 Assault Examination Fund created by Section 142.20 of Title 21 of
14 the Oklahoma Statutes.

15 SECTION 3. For the fiscal year ending June 30, 2010, up to
16 _____ Dollars (\$0.00) is authorized to be transferred
17 from the Crime Victims Compensation Revolving Fund, created by
18 Section 142.17 of Title 21 of the Oklahoma Statutes to the District
19 Attorneys Council for eight employees, including related duties to
20 support the Crime Victims Compensation Board.

21 SECTION 4. For the fiscal year ending June 30, 2010, up to
22 _____ Dollars (\$0.00) is authorized to be transferred from
23 the Crime Victims Compensation Revolving Fund created by Section
24

1 142.17 of Title 21 of the Oklahoma Statutes to the District
2 Attorneys Council for duties to support Victim-Witness Services.

3 SECTION 5. For the fiscal year ending June 30, 2010, the
4 District Attorneys Council shall budget all funds in the following
5 categories and amounts:

6	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
7	Prosecutorial Services	\$0.00	\$0.00
8	General Administration	0.00	0.00
9	Child Support Services	0.00	0.00
10	Bogus Check Enforcement and		
11	Restitution	0.00	0.00
12	Federal Grant Programs	0.00	0.00
13	Federal Pass-Through Grants	0.00	0.00
14	Drug Asset Forfeiture	0.00	0.00
15	Crime Victim Services	<u>0.00</u>	<u>0.00</u>
16	TOTAL	\$0.00	\$0.00

17 SECTION 6. The duties and compensation of employees, not
18 otherwise prescribed by law, necessary to perform the duties imposed
19 upon the district attorneys and District Attorneys Council by law
20 shall be set by the District Attorneys Council except as otherwise
21 provided in Chapter 7A of Title 19 of the Oklahoma Statutes. The
22 District Attorneys Council for the fiscal year ending June 30, 2010,
23 shall be subject to the following budgetary limitations on full-
24 time-equivalent employees and expenditures excluding expenditures

1 for capital and special projects, except as may be authorized
2 pursuant to the provisions of Section 3603 of Title 74 of the
3 Oklahoma Statutes:

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

7 SECTION 7. The District Attorneys Council is hereby authorized
8 to hire twenty legal interns for the fiscal year ending June 30,
9 2010. Such interns shall be exempt from the budgetary limitations
10 as provided in Section 6 of this act.

11 SECTION 8. Appropriations made by this act, not including
12 appropriations made for capital outlay purposes, may be budgeted for
13 the fiscal year ending June 30, 2010 (hereafter FY-10) or may be
14 budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11).
15 Funds budgeted for FY-10 may be encumbered only through June 30,
16 2010, and must be expended by November 15, 2010. Any funds
17 remaining after November 15, 2010, and not budgeted for FY-11, shall
18 lapse to the credit of the proper fund for the then current fiscal
19 year. Funds budgeted for FY-11 may be encumbered only through June
20 30, 2011. Any funds remaining after November 15, 2011, shall lapse
21 to the credit of the proper fund for the then current fiscal year.
22 These appropriations may not be budgeted in both fiscal years
23 simultaneously. Funds budgeted in FY-10, and not required to pay
24 obligations for that fiscal year, may be budgeted for FY-11, after

1 the agency to which the funds have been appropriated has prepared
2 and submitted a budget work program revision removing these funds
3 from the FY-10 budget work program and after such revision has been
4 approved by the Office of State Finance.

5 SECTION 9. This act shall become effective July 1, 2009.

6 SECTION 10. It being immediately necessary for the preservation
7 of the public peace, health and safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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