

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1240

By: Miller and Martin (Scott)
of the House

4 and

5 Johnson (Mike) and Myers of
6 the Senate

7
8 AS INTRODUCED

9
10 An Act relating to the Oklahoma State Bureau of
Investigation; making an appropriation; stating
11 purpose; requiring budgeting in certain categories
and amounts; providing for the duties and
12 compensation of employees; limiting salary of the
Director; providing budgetary limitations;
13 authorizing transfer of funds to an agency special
account for certain purposes; limiting amount
14 authorized to be transferred; requiring certain
report; specifying duties for certain full-time-
15 equivalent employees; making their employment
contingent on certain funding; authorizing exemption
16 of certain federal funds from expenditure
limitations; specifying how funds will be used;
17 providing lapse dates; requiring and prohibiting
certain budget practices; providing an effective
18 date; and declaring an emergency.

19
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. There is hereby appropriated to the Oklahoma State
22 Bureau of Investigation from any monies not otherwise appropriated
23 from the General Revenue Fund of the State Treasury for the fiscal
24 year ending June 30, 2010, the sum of _____ Dollars

1 (\$0.00) or so much thereof as may be necessary to perform the duties
2 imposed upon the Oklahoma State Bureau of Investigation by law.

3 SECTION 2. For the fiscal year ending June 30, 2010, the
4 Oklahoma State Bureau of Investigation shall budget all funds in the
5 following categories and amounts:

| 6 | <u>Category</u> | <u>Appropriation</u> | <u>Total</u> |
|----|---------------------------------|----------------------|--------------|
| 7 | Administration | \$0.00 | \$0.00 |
| 8 | Investigative Services | 0.00 | 0.00 |
| 9 | Information Services | 0.00 | 0.00 |
| 10 | Criminalistic Services | 0.00 | 0.00 |
| 11 | Management Information Services | <u>0.00</u> | <u>0.00</u> |
| 12 | TOTAL | \$0.00 | \$0.00 |

13 SECTION 3. The duties and compensation of employees, not
14 otherwise prescribed by law, necessary to perform the duties imposed
15 upon the Oklahoma State Bureau of Investigation by law shall be set
16 by the Director of the Oklahoma State Bureau of Investigation. The
17 salary of the Director of the Oklahoma State Bureau of Investigation
18 shall not exceed _____ Dollars (\$0.00) per annum, payable
19 monthly for the fiscal year ending June 30, 2010. The Oklahoma
20 State Bureau of Investigation for the fiscal year ending June 30,
21 2010, shall be subject to the following budgetary limitations on
22 full-time-equivalent employees and expenditures excluding
23 expenditures for capital and special projects, except as may be
24

1 authorized pursuant to the provisions of Section 3603 of Title 74 of
2 the Oklahoma Statutes:

| 3 <u>Budgetary Limitation</u> | <u>Amount</u> |
|----------------------------------|---------------|
| 4 Full-Time-Equivalent Employees | 0.0 |
| 5 Lease-Purchase Agreements | \$0.00 |

6 Full-time equivalent employees solely paid by grant funds shall
7 not count against the agency's budgetary limitations as specified in
8 this section.

9 SECTION 4. Of the amount appropriated to the Oklahoma State
10 Bureau of Investigation by Section 1 of this act, a maximum of Fifty
11 Thousand Dollars (\$50,000.00) may be transferred to an agency
12 special account for the purpose of purchasing evidence items, paying
13 fees to informers or special employees, paying expenses incurred in
14 the prosecution and defense of civil actions, and paying other
15 expenses as incurred under the Evidence Fund activity in trying to
16 apprehend and convict violators of the laws of the state. The
17 Oklahoma State Bureau of Investigation shall report income to the
18 Evidence Fund annually pursuant to the provisions of Sections 41.7c
19 and 41.29 of Title 62 of the Oklahoma Statutes.

20 SECTION 5. Of the total number of full-time-equivalent employee
21 positions authorized for the Oklahoma State Bureau of Investigation
22 in this act, eleven shall perform duties in accordance with the
23 Criminal Intelligence Unit and nine shall perform duties in
24 accordance with the Criminal Records Audit Unit. The continuation

1 of these full-time-equivalent employees is contingent upon
2 sufficient agency revolving funds to support them.

3 SECTION 6. The Director of the Oklahoma State Bureau of
4 Investigation may request that the receipt and expenditure of
5 unanticipated federal funds after July 1, 2009, be exempt from
6 expenditure limitations, provided that any such funds are used for
7 operations and shall be included in the agency's budget work
8 program.

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

1 from the FY-10 budget work program and after such revision has been
2 approved by the Office of State Finance.

3 SECTION 8. This act shall become effective July 1, 2009.

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

8

9 52-1-15146 MA 01/09/09

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24