

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2467

By: Miller and Martin (Scott)  
of the House

4 and

5 Johnson (Mike) and Myers of  
6 the Senate

7  
8  
9 AS INTRODUCED

10 An Act relating to the Department of Corrections;  
11 making an appropriation; stating purpose; requiring  
12 budgeting of funds in certain categories and amounts;  
13 requiring certain performance measures; providing for  
14 duties and compensation of employees; limiting salary  
15 of the Director; authorizing employment of certain  
16 percentage of employees in the unclassified service;  
17 providing budgetary limitations; authorizing certain  
18 agreement for construction projects; 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 Department of  
24 Corrections from any monies not otherwise appropriated from the  
General Revenue Fund of the State Treasury for the fiscal year  
ending June 30, 2011, the sum of \_\_\_\_\_ Dollars (\$0.00) or  
so much thereof as may be necessary to perform the duties imposed  
upon the Department of Corrections by law.

1 SECTION 2. For the fiscal year ending June 30, 2011, the  
2 Department of Corrections shall budget all funds in the following  
3 categories and amounts:

4	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5	General Operations	\$ 0.00	\$ 0.00
6	Central Office Operations	0.00	0.00
7	Regional Office Operations	0.00	0.00
8	Medical Services	0.00	0.00
9	Prison Operations	0.00	0.00
10	Contracted Services	0.00	0.00
11	Community Corrections	0.00	0.00
12	Community Sentencing	0.00	0.00
13	Offender Programs	0.00	0.00
14	Prison Industries	<u>0.00</u>	<u>0.00</u>
15	TOTAL	\$0.00	\$0.00

16 The agency shall develop outcome-based performance measures for  
17 each budget category.

18 SECTION 3. The duties and compensation of employees, not  
19 otherwise prescribed by law, necessary to perform the duties imposed  
20 upon the Department of Corrections by law shall be set by the  
21 Director of the Department of Corrections. The salary of the  
22 Director of the Department of Corrections shall not exceed  
23 \_\_\_\_\_ Dollars (\$0.00) per annum, payable monthly for the  
24 fiscal year ending June 30, 2011. The Department of Corrections for

1 the fiscal year ending June 30, 2011, shall be subject to the  
2 following budgetary limitations on full-time-equivalent employees  
3 and expenditures excluding expenditures for capital and special  
4 projects, except as may be authorized pursuant to the provisions of  
5 Section 3603 of Title 74 of the Oklahoma Statutes:

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

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9 SECTION 4. The Department of Corrections is hereby authorized  
10 to enter into an agreement with the state agencies to utilize prison  
11 inmates for construction projects subject to written restrictions  
12 and conditions regarding security classification and other matters  
13 related to the control of inmates and public safety. Before  
14 utilizing inmates, the Department of Corrections shall enter into a  
15 written agreement concerning, but not limited to, liability,  
16 funding, pay, public security and transportation. Provided further,  
17 that prison inmates shall not be used to replace any current state  
18 agency employees.

19 SECTION 5. Appropriations made by this act, not including  
20 appropriations made for capital outlay purposes, may be budgeted for  
21 the fiscal year ending June 30, 2011 (hereafter FY-11) or may be  
22 budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12).  
23 Funds budgeted for FY-11 may be encumbered only through June 30,  
24 2011, and must be expended by November 15, 2011. Any funds

1 remaining after November 15, 2011, and not budgeted for FY-12, shall  
2 lapse to the credit of the proper fund for the then current fiscal  
3 year. Funds budgeted for FY-12 may be encumbered only through June  
4 30, 2012. Any funds remaining after November 15, 2012, shall lapse  
5 to the credit of the proper fund for the then current fiscal year.  
6 These appropriations may not be budgeted in both fiscal years  
7 simultaneously. Funds budgeted in FY-11, and not required to pay  
8 obligations for that fiscal year, may be budgeted for FY-12, after  
9 the agency to which the funds have been appropriated has prepared  
10 and submitted a budget work program revision removing these funds  
11 from the FY-11 budget work program and after such revision has been  
12 approved by the Office of State Finance.

13 SECTION 6. This act shall become effective July 1, 2010.

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

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19 52-2-15375 MA 12/23/09

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