

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2479

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

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

22 SECTION 1. There is hereby appropriated to the Oklahoma State  
23 Bureau of Investigation from any monies not otherwise appropriated  
24 from the General Revenue Fund of the State Treasury for the fiscal

1 year ending June 30, 2011, the sum of \_\_\_\_\_ Dollars  
2 (\$0.00) or so much thereof as may be necessary to perform the duties  
3 imposed upon the Oklahoma State Bureau of Investigation by law.

4 SECTION 2. For the fiscal year ending June 30, 2011, the  
5 Oklahoma State Bureau of Investigation shall budget all funds in the  
6 following categories and amounts:

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

14 The agency shall develop outcome-based performance measures for  
15 each budget category.

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

1 full-time-equivalent employees and expenditures excluding  
2 expenditures for capital and special projects, except as may be  
3 authorized pursuant to the provisions of Section 3603 of Title 74 of  
4 the Oklahoma Statutes:

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

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

11 SECTION 4. Of the amount appropriated to the Oklahoma State  
12 Bureau of Investigation by Section 1 of this act, a maximum of Fifty  
13 Thousand Dollars (\$50,000.00) may be transferred to an agency  
14 special account for the purpose of purchasing evidence items, paying  
15 fees to informers or special employees, paying expenses incurred in  
16 the prosecution and defense of civil actions, and paying other  
17 expenses as incurred under the Evidence Fund activity in trying to  
18 apprehend and convict violators of the laws of the state. The  
19 Oklahoma State Bureau of Investigation shall report income to the  
20 Evidence Fund annually pursuant to the provisions of Sections 34.42  
21 and 34.36 of Title 62 of the Oklahoma Statutes.

22 SECTION 5. Of the total number of full-time-equivalent employee  
23 positions authorized for the Oklahoma State Bureau of Investigation  
24 in this act, eleven (11.0) shall perform duties in accordance with

1 the Criminal Intelligence Unit and nine (9.0) shall perform duties  
2 in accordance with the Criminal Records Audit Unit. The  
3 continuation of these full-time-equivalent employees is contingent  
4 upon sufficient agency revolving funds to support them.

5 SECTION 6. The Director of the Oklahoma State Bureau of  
6 Investigation may request that the receipt and expenditure of  
7 unanticipated federal funds after July 1, 2010, be exempt from  
8 expenditure limitations, provided that any such funds are used for  
9 operations and shall be included in the agency's budget work  
10 program.

11 SECTION 7. 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, 2011 (hereafter FY-11) or may be  
14 budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12).  
15 Funds budgeted for FY-11 may be encumbered only through June 30,  
16 2011, and must be expended by November 15, 2011. Any funds  
17 remaining after November 15, 2011, and not budgeted for FY-12, shall  
18 lapse to the credit of the proper fund for the then current fiscal  
19 year. Funds budgeted for FY-12 may be encumbered only through June  
20 30, 2012. Any funds remaining after November 15, 2012, 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-11, and not required to pay  
24 obligations for that fiscal year, may be budgeted for FY-12, 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-11 budget work program and after such revision has been  
4 approved by the Office of State Finance.

5 SECTION 8. This act shall become effective July 1, 2010.

6 SECTION 9. 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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