

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2281

By: Glenn of the House

and

Ballenger of the Senate

7
8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to counties and county officers;
12 amending 19 O.S. 2011, Section 180.65, which relates
13 to deputies; authorizing certain officers to
14 designate undersheriff; authorizing undersheriff to
15 perform certain duties; and providing an effective
16 date.

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

18 SECTION 1. AMENDATORY 19 O.S. 2011, Section 180.65, is
19 amended to read as follows:

20 Section 180.65 A. The officers named in paragraph 1 of Section
21 180.61 of this title shall have such number of regular or technical
22 deputies, assistants, investigators, evidence persons, aides,
23 stenographers or reporters, technicians, undersheriffs, jailers,

1 matrons, handwriting and fingerprint experts, probation officers,
2 juvenile officers, bailiffs, or other help, whatever title the
3 principal officer may ascribe to the duties or functions to be
4 performed as authorized by law and clearly related to the proper
5 accomplishment of lawful functions, whether on whole or part-time
6 basis, at such rates of salary or pay, subject to the provisions of
7 this section as hereinafter set forth, as the principal officer may
8 propose and establish the need of and which the county excise board
9 may approve, for the adequate accomplishment of the functions of the
10 office and the performance of the duties imposed thereon by law,
11 with due weight being given to employment on whole or part-time
12 basis. However, no such employments shall exceed the amount of
13 lawful funds appropriated for such purpose.

14 B. Each principal officer named in paragraph 1 of Section
15 180.61 of this title, except judges, shall designate of record in
16 the office of the county clerk a first or chief deputy,
17 undersheriff, or assistant who shall be chargeable with all the
18 duties of such principal officer, while subject to the direction of
19 the same. The first or chief deputy, undersheriff, or assistant
20 shall carry on the duties of the office during the absence of the
21 principal officer or, in the event of the death, removal or
22 resignation of said principal officer, until a successor shall have
23 qualified. During periods of vacancy of the principal office,

24

1 resulting from the death, removal or resignation of the principal
2 officer, the chief deputy, undersheriff, or assistant shall be
3 bonded in the same manner and in the same sum as required for the
4 principal officer.

5 C. No deputy shall receive a salary in excess of the principal
6 officer. The salaries set forth in this subsection within the
7 limitations shall be such amounts as the principal officer may
8 propose and establish the need for and which the county excise board
9 may approve within salary and staffing requirements as may be
10 prescribed by law. The numerical rank of any deputy or assistant to
11 be effective must be by designation of the principal officer by the
12 signature of the principal officer and filed with the county clerk.
13 The numerical rank of any deputy or assistant shall be within the
14 sole discretion of the principal officer.

15 D. The board of county commissioners shall continue to have the
16 authority to recommend the total amount of funds that can be used
17 for the combined salaries in each of the county offices covered by
18 this act. However, the approval of the funding for such offices
19 shall continue to be the responsibility of the county excise board.
20 County officers shall have no authority to make salary commitments
21 beyond the amount of the funding so provided.

22 E. The county excise board shall meet with each of the
23 principal officers of the county in budget planning conference or
24

1 conferences, before July 1 of each year, to discuss personnel needs
2 for each office for the succeeding fiscal year. The excise board
3 shall provide the principal officers a tentative estimate of
4 anticipated revenues for the next fiscal year prior to the budget
5 planning conferences.

6 SECTION 2. This act shall become effective November 1, 2012.

7
8 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
9 02/16/2012 - DO PASS, As Amended and Coauthored.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24