

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 HOUSE BILL 2158

By: Nelson and Pittman of the  
House

5 and

6 David of the Senate

7  
8  
9 AS INTRODUCED

10 [ **state government - State Department of**  
11 **Rehabilitation Services - unclassified positions in**  
12 **Disability Determination Division - effective date ]**

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

18 SECTION 1. AMENDATORY 74 O.S. 2011, Section 840-5.12, is  
19 amended to read as follows:

20 Section 840-5.12 A. The State Department of Rehabilitation  
21 Services shall be under the Merit System. Except as otherwise  
22 provided in this section, all offices, positions and personnel shall  
23 be classified and subject to the provisions of the Merit System of  
24 Personnel Administration and rules promulgated hereunder. This

1 section shall supersede and repeal any and all executive orders  
2 issued pursuant to Section 840-1.1 et seq. of this title to place  
3 the agency or its predecessors under the Merit System.

4 B. In addition to offices, positions and personnel that are  
5 unclassified pursuant to Section 840-5.5 of this title, the Director  
6 of the State Department of Rehabilitation Services may establish  
7 positions in the unclassified service and place employees in the  
8 positions provided the total number of unclassified positions does  
9 not exceed fifty-two ~~(52)~~. This limit does not include State  
10 Department of Rehabilitation Services employees subject to Section  
11 840-5.3 of this title.

12 C. The limit on unclassified positions provided for in  
13 subsection B of this section shall not apply to the instructional  
14 and administrative personnel at the Oklahoma School for the Blind  
15 and the Oklahoma School for the Deaf as listed in Section 1419 of  
16 Title 10 of the Oklahoma Statutes.

17 D. The limit on unclassified positions provided for in  
18 subsection B of this section shall not apply to the employees of the  
19 Disability Determination Division of the State Department of  
20 Rehabilitation Services. The Director of the State Department of  
21 Rehabilitation Services may establish positions in the unclassified  
22 service in the Disability Determination Division and may place  
23 employees in those positions provided the total number of those  
24 unclassified positions does not exceed ~~fourteen~~ twenty-one.

1 E. Instructional and administrative personnel of the State  
2 Department of Rehabilitation Services at the Oklahoma School for the  
3 Blind and the Oklahoma School for the Deaf pursuant to Section 1419  
4 of Title 10 of the Oklahoma Statutes shall be considered  
5 unclassified state employees solely for the purpose of entering and  
6 maintaining employment data in the state Personnel Management  
7 Information System established pursuant to Section 840-2.13 of this  
8 title, unless otherwise provided by law.

9 SECTION 2. This act shall become effective November 1, 2013.

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11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
12 03/05/2013 - DO PASS, As Amended and Coauthored.

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