

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 512

By: Jolley

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6 AS INTRODUCED

7 An Act relating to law enforcement; consolidating the  
8 Alcoholic Beverage Laws Enforcement Commission and  
9 the Oklahoma Bureau of Narcotics and Dangerous Drugs  
10 Control; providing for interpretation of certain  
11 statutory references; transferring the duties of  
12 enforcement and administration of certain laws to the  
13 Oklahoma Bureau of Alcohol and Drug Enforcement;  
14 transferring certain personnel, funds, records,  
15 encumbrances, equipment, and other items; providing  
16 requirements pertaining to transfer of employees;  
17 providing for transition coordinators and a  
18 transition team; providing duties of the transition  
19 team; amending 63 O.S. 2011, Section 2-102, which  
20 relates to the Oklahoma State Bureau of Narcotics and  
21 Dangerous Drugs Control; providing for  
22 noncodification; providing for codification;  
23 providing effective dates; and declaring an  
24 emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 504.1 of Title 37, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. The Alcoholic Beverage Laws Enforcement Commission is hereby  
23 consolidated with the Oklahoma Bureau of Narcotics and Dangerous  
24 Drugs Control. The consolidated agency is hereby named the Oklahoma

1 Bureau of Alcohol and Drug Enforcement. Any reference in the  
2 Oklahoma Statutes or in Article XXVIII of the Oklahoma Constitution  
3 to the Alcoholic Beverage Laws Enforcement Commission shall be  
4 deemed to be a reference to the Oklahoma Bureau of Alcohol and Drug  
5 Enforcement unless otherwise required by the context of the  
6 reference.

7 B. All assets, funds, liabilities, allotments, purchase orders,  
8 outstanding financial obligations, encumbrances, records, aircraft,  
9 vehicles, equipment, and other property of the Alcoholic Beverage  
10 Laws Enforcement Commission and the Oklahoma Bureau of Narcotics and  
11 Dangerous Drugs Control are hereby transferred to the Oklahoma  
12 Bureau of Alcohol and Drug Enforcement.

13 C. Personnel employed by the Alcoholic Beverage Laws  
14 Enforcement Commission and the Oklahoma Bureau of Narcotics and  
15 Dangerous Drugs Control on July 1, 2015, shall be transferred to the  
16 Oklahoma Bureau of Alcohol and Drug Enforcement pursuant to a  
17 transition plan implemented by the Oklahoma Bureau of Alcohol and  
18 Drug Enforcement as required by Section 2 of this act.

19 D. The classified and unclassified employees who are  
20 transferred pursuant to this section shall be subject to the  
21 following provisions:

22 1. Classified employees shall remain subject to the provisions  
23 of the Merit System of Personnel Administration, as provided in the  
24 Oklahoma Personnel Act;

1           2.   Unclassified employees transferred to the Oklahoma Bureau of  
2 Alcohol and Drug Enforcement shall remain in the unclassified  
3 service and shall serve at the pleasure of the Director of the  
4 Oklahoma Bureau of Alcohol and Drug Enforcement;

5           3.   All employees who are transferred pursuant to this act shall  
6 retain leave, sick and annual time earned and any retirement and  
7 longevity benefits which have accrued during their employment with  
8 the state. The salaries of employees who are transferred shall not  
9 be reduced as a direct and immediate result of the transfer;

10          4.   If the Oklahoma Bureau of Alcohol and Drug Enforcement  
11 should implement a reduction in force, all employees transferred  
12 pursuant to this act shall be credited for the time they were  
13 employed by the Alcoholic Beverage Laws Enforcement Commission and  
14 the Oklahoma Bureau of Narcotics and Dangerous Drugs Control; and

15          5.   The transfer of personnel shall be coordinated with the  
16 Office of Management and Enterprise Services.

17          SECTION 2.       NEW LAW       A new section of law not to be  
18 codified in the Oklahoma Statutes reads as follows:

19          A.   The Director of the Oklahoma Bureau of Narcotics and  
20 Dangerous Drugs Control and the Director of the Alcoholic Beverage  
21 Laws Enforcement Commission shall serve as transition coordinators  
22 and shall establish a transition team to coordinate the orderly  
23 transfer of duties, personnel, property, funds, and encumbrances  
24 from and consolidation of the Alcoholic Beverage Laws Enforcement

1 Commission and the Oklahoma Bureau of Narcotics and Dangerous Drugs  
2 Control to the Oklahoma Bureau of Alcohol and Drug Enforcement.  
3 Each Director may assign personnel to the transition team from their  
4 respective agency as deemed necessary.

5 B. The transition team shall:

6 1. In conjunction with the Office of Management and Enterprise  
7 Services, oversee and administer the orderly transfer of  
8 responsibilities, liabilities, property, records, personnel and any  
9 outstanding financial obligations or encumbrances to the Oklahoma  
10 Bureau of Alcohol and Drug Enforcement from the Alcoholic Beverage  
11 Laws Enforcement Commission and the Oklahoma Bureau of Narcotics and  
12 Dangerous Drugs Control;

13 2. Review functions currently assigned to or managed by the  
14 Alcoholic Beverage Laws Enforcement Commission and the Oklahoma  
15 Bureau of Narcotics and Dangerous Drugs Control;

16 3. Devise a proposal for an organizational framework within the  
17 Oklahoma Bureau of Alcohol and Drug Enforcement which shall include  
18 a proposal for reduction of full-time-equivalent employees by five  
19 percent (5%);

20 4. Establish a plan for the transfer of employees from the  
21 Alcoholic Beverage Laws Enforcement Commission and the Oklahoma  
22 Bureau of Narcotics and Dangerous Drugs Control to the Oklahoma  
23 Bureau of Alcohol and Drug Enforcement. The plan shall include a  
24 list of positions to be transferred. The plan also shall include a

1 reduction-in-force plan and a severance benefits plan that conform  
2 with the requirements of the State Government Reduction-in-Force and  
3 Severance Benefits Act; and

4 5. Take such other action as may be reasonably necessary and  
5 appropriate to effectuate the orderly transition of functions as  
6 provided by this act.

7 SECTION 3. AMENDATORY 63 O.S. 2011, Section 2-102, is  
8 amended to read as follows:

9 Section 2-102. The Oklahoma State Bureau of Narcotics and  
10 Dangerous Drugs Control is hereby consolidated with the Alcoholic  
11 Beverage Laws Enforcement Commission. The consolidated agency is  
12 hereby named the Oklahoma Bureau of Alcohol and Drug Enforcement.  
13 All references in the Oklahoma Statutes to the Oklahoma State Bureau  
14 of Narcotics and Dangerous Drugs Control shall be deemed to refer to  
15 the Oklahoma Bureau of Alcohol and Drug Enforcement unless otherwise  
16 required by the context of the reference.

17 SECTION 4. Sections 1 and 3 of this act shall become effective  
18 July 1, 2014.

19 SECTION 5. Section 2 of this act shall become effective July 1,  
20 2013.

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

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