

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 551

By: Sykes

4  
5  
6 AS INTRODUCED

7 An Act relating to district attorneys; amending 19  
8 O.S. 2011, Sections 215.34 and 215.35C, which relate  
9 to assistant district attorneys and other personnel;  
10 setting forth salary schedule for assistant district  
11 attorneys; providing an effective date; and declaring  
an emergency.

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

13 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.34, is  
14 amended to read as follows:

15 Section 215.34. A. All assistant district attorneys who are  
16 paid in excess of fifty percent (50%) of the salary of the district  
17 attorney shall not engage in the private practice of law, but may  
18 complete pending cases of a civil nature, not in conflict with the  
19 interests of any county of the district in which appointed. No  
20 assistant district attorney permitted to practice law shall accept  
21 employment in a case investigated by the office of the district  
22 attorney.

1 B. Each county in a district shall have at least one assistant  
2 district attorney who shall reside in the county or an adjoining  
3 county.

4 C. Each assistant district attorney shall: be at least twenty-  
5 one (21) years of age; be a resident of the district, if required by  
6 the district attorney; and have a license to practice law in the  
7 courts of record of this state at the time of appointment. All  
8 assistant district attorneys shall serve at the pleasure of the  
9 district attorney.

10 D. Effective July 1, 2015, with respect to employees hired,  
11 promoted or reclassified:

12 1. Full-time assistants with less than two (2) years of  
13 experience in the general practice of law or experience as a  
14 licensed intern in an internship with an Oklahoma district  
15 attorney's office shall receive a salary of not more than fifty  
16 percent (50%) of the salary of the district attorney of the  
17 district;

18 2. Full-time assistants with over two (2) but less than three  
19 (3) years of such experience shall receive not more than fifty-five  
20 percent (55%) nor less than fifty percent (50%) of the salary of the  
21 district attorney of the district;

22 3. Full-time assistants with over three (3) years but less than  
23 four (4) years of such experience shall receive not more than sixty  
24

1 percent (60%) nor less than fifty percent (50%) of the salary of the  
2 district attorney of the district;

3 4. Full-time assistants with over four (4) years but less than  
4 five (5) years of such experience shall receive not more than sixty-  
5 five percent (65%) nor less than fifty percent (50%) of the salary  
6 of the district attorney of the district;

7 5. Full-time assistants with over five (5) years but less than  
8 six (6) years of such experience shall receive not more than seventy  
9 percent (70%) nor less than fifty percent (50%) of the salary of the  
10 district attorney of the district;

11 6. Full-time assistants with over six (6) years but less than  
12 seven (7) years of such experience shall receive not more than  
13 seventy-five percent (75%) nor less than fifty percent (50%) of the  
14 salary of the district attorney of the district;

15 7. Full-time assistants with over seven (7) years but less than  
16 eight (8) years of such experience shall receive not more than  
17 eighty percent (80%) nor less than fifty percent (50%) of the salary  
18 of the district attorney of the district;

19 8. Full-time assistants with over eight (8) years but less than  
20 nine (9) years of such experience shall receive not more than  
21 eighty-five percent (85%) of the salary of the district attorney of  
22 the district;

23 9. Full-time assistants with over nine (9) years of such  
24 experience shall receive a salary of not more than ninety percent

1 (90%) and not less than fifty percent (50%) of the salary of the  
2 district attorney of the district; and

3 10. Notwithstanding the provisions of paragraphs 1 through 9 of  
4 this subsection, a designated first assistant with over three (3)  
5 years of such experience may receive up to ninety-five percent (95%)  
6 of the salary of the district attorney.

7 E. Part-time assistants with less than one (1) year of  
8 experience in the general practice of law or experience as a  
9 licensed full-time intern in an internship with an Oklahoma district  
10 attorney's office shall receive forty percent (40%) prorated salary  
11 based on the pay scale limits provided in subsection D of this  
12 section against the actual hours worked. Part-time assistants with  
13 more than one (1) year of experience shall receive not more than a  
14 prorated fifty percent (50%) salary based on the pay scale limits  
15 provided in subsection D of this section nor less than a prorated  
16 forty percent (40%) salary based on the pay scale limits provided in  
17 subsection D of this section.

18 SECTION 2. AMENDATORY 19 O.S. 2011, Section 215.35C, is  
19 amended to read as follows:

20 Section 215.35C. ~~Notwithstanding any other provision of law~~  
21 Except as otherwise provided in Section 215.30 of this title, the  
22 compensation of all district attorney personnel shall be determined  
23 by the district attorney of each district. On affixing the  
24 compensation, the district attorney shall base the compensation upon

1 the responsibilities assigned to the position and the  
2 qualifications, training, experience, length of employment of each  
3 employee and budgetary consideration. All district attorney  
4 personnel shall serve at the pleasure of the district attorney.

5 SECTION 3. This act shall become effective July 1, 2015.

6 SECTION 4. 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.

10  
11 55-1-762 CD 2/18/2016 7:08:44 PM