

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3085 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Josh Cockroft \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3085

By: Cockroft

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to counties and county officers;  
10 authorizing counties to adopt a performance-based  
11 adjustment program for county employees; providing  
12 written performance-based adjustment plan content  
13 requirements; limiting one performance-based  
14 adjustment for every twelve-month cycle; requiring  
15 certain evaluation be less than one (1) year old;  
16 providing for codification; and providing an  
17 effective date.

18 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 169 of Title 19, unless there is  
21 created a duplication in numbering, reads as follows:

22 A. Counties may adopt a performance-based adjustment program  
23 for county employees pursuant to this section.

24 B. In order to adopt a performance-based adjustment program, a  
county shall adopt a written performance-based adjustment plan. The  
plan must:

1           1. Indicate the manner in which the county intends to award  
2 performance-based adjustments, including a determination that  
3 performance-based adjustments will be awarded for overall ratings of  
4 "meets standards" or "exceeds standards". Performance-based  
5 adjustments shall not exceed five percent (5%) of a county  
6 employee's annual salary for "meets standards" or ten percent (10%)  
7 of a county employee's annual salary for "exceeds standards". The  
8 plan shall include:

- 9           a. the amount or percentage that the county will award to  
10           qualifying employees, or
- 11           b. total dollar figure the county intends to set aside  
12           for performance-based adjustments to be divided among  
13           qualifying county employees;

14           2. Identify and define the twelve-month evaluation cycle to be  
15 used within the county, such as a calendar year or fiscal year. The  
16 plan shall not be amended within the evaluation cycle but may be  
17 discontinued according to paragraph 5 of this subsection;

18           3. Indicate whether the county will award performance-based  
19 adjustments as an increase to the county employee's salary, a lump-  
20 sum payment, or a combination thereof;

21           4. Include a written confirmation that the county can fund the  
22 performance-based adjustment program for the current and subsequent  
23 fiscal year without the need for additional funding; and  
24

1           5. Include a statement that the county may discontinue  
2 performance-based adjustments at any time should it be necessary to  
3 prevent a budget shortfall. The county shall notify employees of  
4 the discontinuation of the plan and the reason therefor.

5           C. A county may grant only one performance-based adjustment to  
6 any county employee for any twelve-month evaluation cycle. A county  
7 shall not award a performance-based adjustment to any employee based  
8 upon a performance evaluation which is more than one (1) year old.

9           SECTION 2. This act shall become effective November 1, 2018.

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11           56-2-9895           AMM           02/25/18

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