

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 171, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Schulz

Schulz-LB-FS-Req#3528
3/12/2018 10:32 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 171

By: Bice of the Senate

and

Echols of the House

FLOOR SUBSTITUTE

An Act relating to state employee compensation; providing for increase; specifying amount of increase; providing for effective date of increase; defining terms; providing for applicability of increase; providing for effect of leave without pay status; providing for effects of departure from state service and reinstatement or reemployment; defining term; providing for classes of persons ineligible for salary increase; imposing limitation on effect of salary increase; prohibiting expenditure of funds by certain public employing entities; providing exceptions; providing for contingent effect based upon enactment of Enrolled House Bill No. 1033 of the 2nd Extraordinary Session of the 56th Oklahoma Legislature; and providing for noncodification.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. Effective August 1, 2018, all full-time and part-time officers and employees, including temporary and other limited-term

1 employees, of the state who were employed by the state on the last
2 working day of July 2018, shall be awarded an annualized salary
3 increase equal to Two Thousand Five Hundred Dollars (\$2,500.00).

4 B. As used in this section, "temporary and other limited-term
5 employees" are those persons who:

- 6 1. Are not full-time or permanent employees;
- 7 2. Are not otherwise excluded by this section; and
- 8 3. Are compensated by an agency, board, commission or
9 department or other employing entity for a limited duration and
10 without any subjective expectation by either the employer or the
11 employee that the employment will become permanent.

12 C. Except for those personnel specifically excluded from
13 eligibility for any increase or advancement in salary pursuant to
14 this section, the salary increase provided by this section shall be
15 applicable to:

- 16 1. Employees of county health departments;
- 17 2. Employees of a conservation district; and
- 18 3. Employees of the George Nigh Rehabilitation Institute.

19 D. Employees eligible for the increase provided for in
20 subsection A of this section who are on leave without pay on August
21 1, 2018, shall receive an annualized increase, effective upon their
22 return to work, but shall not receive any increase for a period of
23 time prior to their return to work.

1 E. Employees who leave the state service before August 1, 2018,
2 and who are reinstated or reemployed in the state service during
3 August 2018, without a break in service, who are otherwise eligible
4 for the pay increase provided for in this section, shall be granted
5 such raise effective immediately upon such reinstatement or
6 reemployment. As used in this subsection, "break in service" is
7 defined as a period of time in excess of thirty (30) calendar days
8 between two periods of state employment.

9 F. The following officers and employees shall be ineligible for
10 a pay increase pursuant to this section and nothing, except as
11 otherwise provided by Section 840-2.17 of Title 74 of the Oklahoma
12 Statutes, shall be construed to authorize any increase or
13 advancement of the salaries of:

- 14 1. Any elected official;
- 15 2. Any cabinet secretary whose salary is governed by Section
16 10.5 of Title 74 of the Oklahoma Statutes;
- 17 3. Any agency director;
- 18 4. Any justice or judge whose salary is governed by the
19 provisions of Title 85A of the Oklahoma Statutes or whose
20 compensation is set by the Board on Judicial Compensation pursuant
21 to Section 3.4 of Title 20 of the Oklahoma Statutes;
- 22 5. Any district attorney whose salary is governed by Section
23 215.30 of Title 19 of the Oklahoma Statutes;

1 6. Officers and employees of institutions under the
2 administrative authority of the Oklahoma State Regents for Higher
3 Education, except for officers and employees of the George Nigh
4 Rehabilitation Institute;

5 7. Persons employed pursuant to Section 2241 of Title 74 of the
6 Oklahoma Statutes;

7 8. Persons employed pursuant to Section 1.6a of Title 53 of the
8 Oklahoma Statutes;

9 9. Persons who are employed or under contract pursuant to
10 subsection B of Section 1419 of Title 10 of the Oklahoma Statutes;

11 10. The Adjutant General and Assistant Adjutants General
12 pursuant to Section 27 of Title 44 of the Oklahoma Statutes; and

13 11. Employees in those positions listed in the salary schedules
14 in subsection F of Section 2-106 of Title 47 of the Oklahoma
15 Statutes, Section 935 of Title 63 of the Oklahoma Statutes, and
16 Section 150.6a of Title 74 of the Oklahoma Statutes.

17 G. No salary increase pursuant to this section shall be made
18 that exceeds a salary limitation provided in an agency's annual
19 appropriation bill or salary limits set by statute. Classified
20 employees eligible for the salary increase provided for in this
21 section shall receive such increase even though it causes the
22 employee's salary to exceed the maximum for the employee's pay band.

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

1 No funds appropriated for the purpose of implementing the pay
2 increase provided in Section 1 of this act shall be expended by any
3 employing public agency, board, commission or other public employing
4 entity in order to increase compensation for persons employed by a
5 private business entity that has entered into a contract with the
6 public employing entity to provide personnel services or temporary
7 services to the public employing entity in order for the public
8 employing entity to perform duties imposed upon it by law or
9 functions which the public employing entity is authorized to perform
10 by law. The provisions of this section shall not be construed to
11 prohibit increases in compensation to a vendor performing other
12 types of services pursuant to a sole source contract or contract
13 awarded pursuant to The Oklahoma Central Purchasing Act.

14 SECTION 3. The provisions of this act shall be contingent upon
15 the enactment of the provisions of Enrolled House Bill No. 1033 of
16 the 2nd Extraordinary Session of the 56th Oklahoma Legislature and
17 shall not become operative as law otherwise.

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