

1 ENGROSSED SENATE
2 BILL NO. 76

By: Simpson of the Senate

3 and

4 Townley of the House

5
6 An Act relating to classification of positions;
7 amending 74 O.S. 2011, Section 840-5.12, as amended
8 by Section 1, Chapter 64, O.S.L. 2015 (74 O.S. Supp.
9 2018, Section 840-5.12), which relates to
10 unclassified positions; updating term; and providing
11 an effective date.

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

13 SECTION 1. AMENDATORY 74 O.S. 2011, Section 840-5.12, as
14 amended by Section 1, Chapter 64, O.S.L. 2015 (74 O.S. Supp. 2018,
15 Section 840-5.12), is amended to read as follows:

16 Section 840-5.12. A. The State Department of Rehabilitation
17 Services shall be under the Merit System. Except as otherwise
18 provided in this section, all offices, positions and personnel shall
19 be classified and subject to the provisions of the Merit System of
20 Personnel Administration and rules promulgated hereunder. This
21 section shall supersede and repeal any and all executive orders
22 issued pursuant to Section 840-1.1 et seq. of this title to place
23 the agency or its predecessors under the Merit System.

24 B. In addition to offices, positions and personnel that are
unclassified pursuant to Section 840-5.5 of this title, the Director

1 of the State Department of Rehabilitation Services may establish
2 positions in the unclassified service and place employees in the
3 positions provided the total number of unclassified positions does
4 not exceed fifty-two. This limit does not include State Department
5 of Rehabilitation Services employees subject to Section 840-5.3 of
6 this title.

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

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

20 E. Instructional and administrative personnel of the State
21 Department of Rehabilitation Services at the Oklahoma School for the
22 Blind and the Oklahoma School for the Deaf pursuant to Section 1419
23 of Title 10 of the Oklahoma Statutes shall be considered
24 unclassified state employees solely for the purpose of entering and

1 maintaining employment data in the state Personnel Management
2 Information System established pursuant to Section 840-2.13 of this
3 title, unless otherwise provided by law.

4 SECTION 2. This act shall become effective November 1, 2019.

5 Passed the Senate the 6th day of March, 2019.

6

7

Presiding Officer of the Senate

8

9 Passed the House of Representatives the ____ day of _____,

10 2019.

11

12

Presiding Officer of the House
of Representatives

13

14

15

16

17

18

19

20

21

22

23

24