

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 BILL NO. 76

By: Simpson of the Senate

and

Townley of the House

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9 An Act relating to classification of positions;
10 amending 74 O.S. 2011, Section 840-5.12, as amended
11 by Section 1, Chapter 64, O.S.L. 2015 (74 O.S. Supp.
12 2018, Section 840-5.12), which relates to
13 unclassified positions; updating term; and providing
14 an effective date.

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

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

19 Section 840-5.12. A. The State Department of Rehabilitation
20 Services shall be under the Merit System. Except as otherwise
21 provided in this section, all offices, positions and personnel shall
22 be classified and subject to the provisions of the Merit System of
23 Personnel Administration and rules promulgated hereunder. This
24 section shall supersede and repeal any and all executive orders

1 issued pursuant to Section 840-1.1 et seq. of this title to place
2 the agency or its predecessors under the Merit System.

3 B. In addition to offices, positions and personnel that are
4 unclassified pursuant to Section 840-5.5 of this title, the Director
5 of the State Department of Rehabilitation Services may establish
6 positions in the unclassified service and place employees in the
7 positions provided the total number of unclassified positions does
8 not exceed fifty-two. This limit does not include State Department
9 of Rehabilitation Services employees subject to Section 840-5.3 of
10 this title.

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

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

1 E. Instructional and administrative personnel of the State
2 Department of Rehabilitation Services at the Oklahoma School for the
3 Blind and the Oklahoma School for the Deaf pursuant to Section 1419
4 of Title 10 of the Oklahoma Statutes shall be considered
5 unclassified state employees solely for the purpose of entering and
6 maintaining employment data in the state Personnel Management
7 Information System established pursuant to Section 840-2.13 of this
8 title, unless otherwise provided by law.

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

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11 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
12 SERVICES, dated 03/27/2019 - DO PASS.
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