

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 76

By: Simpson

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5  
6 AS INTRODUCED

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

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

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

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

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

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

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

22 E. Instructional and administrative personnel of the State  
23 Department of Rehabilitation Services at the Oklahoma School for the  
24 Blind and the Oklahoma School for the Deaf pursuant to Section 1419

1 of Title 10 of the Oklahoma Statutes shall be considered  
2 unclassified state employees solely for the purpose of entering and  
3 maintaining employment data in the state Personnel Management  
4 Information System established pursuant to Section 840-2.13 of this  
5 title, unless otherwise provided by law.

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

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