

1 ENGROSSED SENATE  
2 BILL NO. 828

By: Murdock of the Senate

3 and

4 Newton of the House

5  
6 An Act relating to counties and county officers;  
7 amending 19 O.S. 2011, Section 180.65, as amended by  
8 Section 1, Chapter 123, O.S.L. 2012 (19 O.S. Supp.  
9 2020, Section 180.65), which relates to deputies and  
10 other help; removing provision for deputy to receive  
11 salary in excess of principal officer; amending 19  
12 O.S. 2011, Section 180.67, which relates to county  
13 salary code; allowing counties to utilize state pay  
14 structure; amending 19 O.S. 2011, Section 180.81,  
15 which relates to deputies and other help; removing  
16 provision for deputy to receive a salary in excess of  
17 principal officer; amending 19 O.S. 2011, Section  
18 180.82, which relates to county salary code; allowing  
19 counties to utilize state pay structure; and  
20 providing an effective date.

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

22 SECTION 1. AMENDATORY 19 O.S. 2011, Section 180.65, as  
23 amended by Section 1, Chapter 123, O.S.L. 2012 (19 O.S. Supp. 2020,  
24 Section 180.65), is amended to read as follows:

Section 180.65. A. The officers named in paragraph 1 of  
Section 180.61 of this title shall have such number of regular or  
technical deputies, assistants, investigators, evidence persons,  
aides, stenographers or reporters, technicians, undersheriffs,  
jailers, matrons, handwriting and fingerprint experts, probation

1 officers, juvenile officers, bailiffs, or other help, whatever title  
2 the principal officer may ascribe to the duties or functions to be  
3 performed as authorized by law and clearly related to the proper  
4 accomplishment of lawful functions, whether on whole or part-time  
5 basis, at such rates of salary or pay, subject to the provisions of  
6 this section as hereinafter set forth, as the principal officer may  
7 propose and establish the need of and which the county excise board  
8 may approve, for the adequate accomplishment of the functions of the  
9 office and the performance of the duties imposed thereon by law,  
10 with due weight being given to employment on whole or part-time  
11 basis. However, no such employments shall exceed the amount of  
12 lawful funds appropriated for such purpose.

13 B. Each principal officer named in paragraph 1 of Section  
14 180.61 of this title, except judges, shall designate of record in  
15 the office of the county clerk a first or chief deputy,  
16 undersheriff, or assistant who shall be chargeable with all the  
17 duties of such principal officer, while subject to the direction of  
18 the same. The first or chief deputy, undersheriff, or assistant  
19 shall carry on the duties of the office during the absence of the  
20 principal officer or, in the event of the death, removal or  
21 resignation of said principal officer, until a successor shall have  
22 qualified. During periods of vacancy of the principal office,  
23 resulting from the death, removal or resignation of the principal  
24 officer, the chief deputy, undersheriff, or assistant shall be

1 bonded in the same manner and in the same sum as required for the  
2 principal officer.

3 C. ~~No deputy shall receive a salary in excess of the principal~~  
4 ~~officer.~~ The salaries set forth in this subsection within the  
5 limitations shall be such amounts as the principal officer may  
6 propose and establish the need for and which the county excise board  
7 may approve within salary and staffing requirements as may be  
8 prescribed by law. The numerical rank of any deputy or assistant to  
9 be effective must be by designation of the principal officer by the  
10 signature of the principal officer and filed with the county clerk.  
11 The numerical rank of any deputy or assistant shall be within the  
12 sole discretion of the principal officer.

13 D. The board of county commissioners shall continue to have the  
14 authority to recommend the total amount of funds that can be used  
15 for the combined salaries in each of the county offices covered by  
16 this ~~act~~ title. However, the approval of the funding for such  
17 offices shall continue to be the responsibility of the county excise  
18 board. County officers shall have no authority to make salary  
19 commitments beyond the amount of the funding so provided.

20 E. The county excise board shall meet with each of the  
21 principal officers of the county in budget planning conference or  
22 conferences, before July 1 of each year, to discuss personnel needs  
23 for each office for the succeeding fiscal year. The excise board  
24 shall provide the principal officers a tentative estimate of

1 anticipated revenues for the next fiscal year prior to the budget  
2 planning conferences.

3 SECTION 2. AMENDATORY 19 O.S. 2011, Section 180.67, is  
4 amended to read as follows:

5 Section 180.67. A. It is hereby declared to be the intent of  
6 the Legislature that this act shall be the comprehensive salary code  
7 for all counties of the state and no county officer in paragraph 1  
8 of Section 180.61 of this title, or their assistants, deputies, or  
9 other employees by whatever title designated, shall receive any  
10 salary or wages except as provided in ~~this act~~ Section 180.58 et  
11 seq. of this title.

12 B. Counties may opt to utilize the appropriate State of  
13 Oklahoma pay structure in lieu of the salary code referenced in  
14 subsection A of this section.

15 SECTION 3. AMENDATORY 19 O.S. 2011, Section 180.81, is  
16 amended to read as follows:

17 Section 180.81. A. The officers named in paragraph 1 of  
18 Section 180.73 of this title shall have such number of regular or  
19 technical deputies, assistants, investigators, evidence persons,  
20 aides, stenographers or reporters, technicians, undersheriffs,  
21 jailers, matrons, handwriting and fingerprint experts, probation  
22 officers, juvenile officers, bailiffs, or other help, whatever title  
23 the principal officer may ascribe to the duties or functions to be  
24 performed as authorized by law and clearly related to the proper

1 accomplishment of lawful functions, whether on whole or part-time  
2 basis, at such rates of salary or pay, subject to the provisions of  
3 this section as hereinafter set forth, as the principal officer may  
4 propose and establish the need of and which the county excise board  
5 may approve, for the adequate accomplishment of the functions of the  
6 office and the performance of the duties imposed thereon by law,  
7 with due weight being given to employment on whole or part-time  
8 basis. However, no such employments shall exceed the amount of  
9 lawful funds appropriated for such purpose.

10 B. Each principal officer named in paragraph 1 of Section  
11 180.73 of this title, except judges, shall designate of record in  
12 the office of the county clerk a first or chief deputy or assistant  
13 who shall be chargeable with all the duties of such principal  
14 officer, while subject to the direction of the same. The first or  
15 chief deputy or assistant shall carry on the duties of the office  
16 during the absence of the principal officer or, in the event of the  
17 death, removal or resignation of said principal officer, until a  
18 successor shall have qualified. During periods of vacancy of the  
19 principal office, resulting from the death, removal or resignation  
20 of the principal officer, the chief deputy or assistant shall be  
21 bonded in the same manner and in the same sum as required for the  
22 principal officer.

23 C. ~~No deputy shall receive a salary in excess of the principal~~  
24 ~~officer.~~ The salaries set forth in this subsection within the

1 limitations shall be such amounts as the principal officer may  
2 propose and establish the need for and which the county excise board  
3 may approve within salary and staffing requirements as may be  
4 prescribed by law. The numerical rank of any deputy or assistant to  
5 be effective must be by designation of the principal officer by the  
6 signature of the principal officer and filed with the county clerk.  
7 The numerical rank of any deputy or assistant shall be within the  
8 sole discretion of the principal officer.

9 D. The board of county commissioners shall continue to have the  
10 authority to recommend the total amount of funds that can be used  
11 for the combined salaries in each of the county offices covered by  
12 this ~~act~~ title. However, the approval of the funding for such  
13 offices shall continue to be the responsibility of the county excise  
14 board. County officers shall have no authority to make salary  
15 commitments beyond the amount of the funding so provided.

16 E. The county excise board shall meet with each of the  
17 principal officers of the county in budget planning conference or  
18 conferences, before July 1 of each year, to discuss personnel needs  
19 for each office for the succeeding fiscal year. The excise board  
20 shall provide the principal officers a tentative estimate of  
21 anticipated revenues for the next fiscal year prior to the budget  
22 planning conferences.

23 SECTION 4. AMENDATORY 19 O.S. 2011, Section 180.82, is  
24 amended to read as follows:

1       Section 180.82. A. It is hereby declared to be the intent of  
2 the Legislature that this act shall be the comprehensive salary code  
3 for all counties of the state which have approved an exemption of  
4 household goods of the heads of families and livestock employed in  
5 support of the family pursuant to the provisions of Section 6 of  
6 Article X of the Oklahoma Constitution, and no county officer in  
7 paragraph 1 of Section 180.73 of this title, or their assistants,  
8 deputies, or other employees by whatever title designated, shall  
9 receive any salary or wages except as provided in ~~this act~~ Section  
10 180.71 et seq. of this title.

11       B. Counties may opt to utilize the appropriate State of  
12 Oklahoma pay structure in lieu of the salary code referenced in  
13 subsection A of this section.

14       SECTION 5. This act shall become effective November 1, 2021.

15       Passed the Senate the 10th day of March, 2021.

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Presiding Officer of the Senate

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19       Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
20 2021.

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Presiding Officer of the House  
of Representatives

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