

## FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB828 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Carl Newton

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE  
FOR ENGROSSED

SENATE BILL NO. 828

By: Murdock of the Senate

and

Newton of the House

FLOOR SUBSTITUTE

An Act relating to counties and county officers;  
amending 19 O.S. 2011, Section 180.65, as amended by  
Section 1, Chapter 123, O.S.L. 2012 (19 O.S. Supp.  
2020, Section 180.65), which relates to deputies and  
other help; specifying definition of term; allowing  
certain employees to receive salary in excess of  
county officer; amending 19 O.S. 2011, Section  
180.67, which relates to county salary code; allowing  
counties to utilize state pay structure; and  
providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 180.65, as  
amended by Section 1, Chapter 123, O.S.L. 2012 (19 O.S. Supp. 2020,  
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,

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

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

1 resulting from the death, removal or resignation of the principal  
2 officer, the chief deputy, undersheriff, or assistant shall be  
3 bonded in the same manner and in the same sum as required for the  
4 principal officer.

5 C. No deputy, as defined paragraph 2 of Section 161 of this  
6 title, shall receive a salary in excess of the principal officer.  
7 Any employee employed to perform duties that are not in assistance  
8 to a county officer in the performance of the official duties of the  
9 county officer, including, but not limited to, specialized or  
10 technical duties, may receive a salary in excess of a county  
11 officer. The salaries set forth in this subsection within the  
12 limitations shall be such amounts as the principal officer may  
13 propose and establish the need for and which the county excise board  
14 may approve within salary and staffing requirements as may be  
15 prescribed by law. The numerical rank of any deputy or assistant to  
16 be effective must be by designation of the principal officer by the  
17 signature of the principal officer and filed with the county clerk.  
18 The numerical rank of any deputy or assistant shall be within the  
19 sole discretion of the principal officer.

20 D. The board of county commissioners shall continue to have the  
21 authority to recommend the total amount of funds that can be used  
22 for the combined salaries in each of the county offices covered by  
23 this ~~act~~ title. However, the approval of the funding for such  
24 offices shall continue to be the responsibility of the county excise

1 board. County officers shall have no authority to make salary  
2 commitments beyond the amount of the funding so provided.

3 E. The county excise board shall meet with each of the  
4 principal officers of the county in budget planning conference or  
5 conferences, before July 1 of each year, to discuss personnel needs  
6 for each office for the succeeding fiscal year. The excise board  
7 shall provide the principal officers a tentative estimate of  
8 anticipated revenues for the next fiscal year prior to the budget  
9 planning conferences.

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

12 Section 180.67 ~~is~~ A. Except as otherwise provided in  
13 subsection B of this section, it is hereby declared to be the intent  
14 of the Legislature that this act shall be the comprehensive salary  
15 code for all counties of the state and no county officer in  
16 paragraph 1 of Section 180.61 of this title, or their assistants,  
17 deputies, or other employees by whatever title designated, shall  
18 receive any salary or wages except as provided in ~~this act~~ Section  
19 180.58 et seq. of this title.

20 B. Counties may opt to utilize the appropriate State of  
21 Oklahoma pay structure in lieu of or in addition to the salary code  
22 referenced in subsection A of this section.  
23  
24

SECTION 3. This act shall become effective November 1, 2021.

58-1-8130 AMM 04/12/21