

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 828, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Murdock

Murdock-MR-FS-Req#1965
3/8/2021 2:25 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE

4 FOR

SENATE BILL NO. 828

By: Murdock of the Senate

5 and

6 Newton of the House

7
8
9 FLOOR SUBSTITUTE

10 [counties and county officers - salary in excess of
11 principal officer - effective date]
12

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

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

17 Section 180.65. A. The officers named in paragraph 1 of
18 Section 180.61 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
11 180.61 of this title, except judges, shall designate of record in
12 the office of the county clerk a first or chief deputy,
13 undersheriff~~7~~ or assistant who shall be chargeable with all the
14 duties of such principal officer, while subject to the direction of
15 the same. The first or chief deputy, undersheriff~~7~~ or assistant
16 shall carry on the duties of the office during the absence of the
17 principal officer or, in the event of the death, removal or
18 resignation of said principal officer, until a successor shall have
19 qualified. During periods of vacancy of the principal office,
20 resulting from the death, removal or resignation of the principal
21 officer, the chief deputy, undersheriff~~7~~ or assistant shall be
22 bonded in the same manner and in the same sum as required for the
23 principal officer.

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

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

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

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

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

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

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

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

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

8 B. Each principal officer named in paragraph 1 of Section
9 180.73 of this title, except judges, shall designate of record in
10 the office of the county clerk a first or chief deputy or assistant
11 who shall be chargeable with all the duties of such principal
12 officer, while subject to the direction of the same. The first or
13 chief deputy or assistant shall carry on the duties of the office
14 during the absence of the principal officer or, in the event of the
15 death, removal or resignation of said principal officer, until a
16 successor shall have qualified. During periods of vacancy of the
17 principal office, resulting from the death, removal or resignation
18 of the principal officer, the chief deputy or assistant shall be
19 bonded in the same manner and in the same sum as required for the
20 principal officer.

21 C. ~~No deputy shall receive a salary in excess of the principal~~
22 ~~officer.~~ The salaries set forth in this subsection within the
23 limitations shall be such amounts as the principal officer may
24 propose and establish the need for and which the county excise board

1 may approve within salary and staffing requirements as may be
2 prescribed by law. The numerical rank of any deputy or assistant to
3 be effective must be by designation of the principal officer by the
4 signature of the principal officer and filed with the county clerk.
5 The numerical rank of any deputy or assistant shall be within the
6 sole discretion of the principal officer.

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

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

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

23 Section 180.82. A. It is hereby declared to be the intent of
24 the Legislature that this act shall be the comprehensive salary code

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

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

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

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14 58-1-1965 MR 3/8/2021 2:25:01 PM
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