

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1964

 By: Nollan of the House

5 and

6 **Rader** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to children; amending 10A O.S. 2011,
11 Section 2-4-107, as last amended by Section 3,
12 Chapter 155, O.S.L. 2018 (10A O.S. Supp. 2020,
13 Section 2-4-107), which relates to the salaries and
14 expenses of juvenile bureau employees; modifying how
15 salary for director is set; requiring that salary be
16 set by board of county commissioners; eliminating the
17 director salary cap; and providing an effective date.

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

19 SECTION 1. AMENDATORY 10A O.S. 2011, Section 2-4-107, as
20 last amended by Section 3, Chapter 155, O.S.L. 2018 (10A O.S. Supp.
21 2020, Section 2-4-107), is amended to read as follows:

22 Section 2-4-107. A. ~~1.~~ The salary of the juvenile bureau
23 director ~~and~~ shall be fixed by the board of county commissioners of
24 the county. Salaries of all other employees of the bureau and any
 detention home established pursuant to Section 2-4-108 of this title

1 shall be fixed by the judge of the Juvenile Division, subject to the
2 general administrative authority of the county commissioners of the
3 contracting county. ~~The salary of the director shall not exceed~~
4 ~~ninety percent (90%) of salaries of county Class A officers.~~

5 2. The salary of any other employee of the juvenile bureau
6 shall not exceed eighty-five percent (85%) of Class A county
7 officers.

8 B. The judge of the Juvenile Division, subject to the general
9 administrative authority of the county commissioners of the
10 contracting county, may fix a limit on the amount of expenses that
11 may be incurred by the director and assistants to the director, such
12 limit to be in the judgment of the judge adequate to care for the
13 expenses necessary to carrying out the orders of the court in an
14 efficient and expedient manner. The director and assistants to the
15 director and other personnel of the court shall keep and maintain
16 their offices at the place where the office of the judge of the
17 court is kept, unless the judge of the Juvenile Division, subject to
18 the general administrative authority of the county commissioners of
19 the contracting county, shall direct otherwise. The offices of the
20 director and assistants to the director shall contain adequate
21 equipment, desk space and consultation rooms necessary for
22 appropriate office procedure.

23 C. In addition to their salaries, the director and assistants
24 to the director shall be reimbursed at the same rate as state

1 employees for mileage traveled by them in the investigation of court
2 cases and in supervising probationers. The director and assistants
3 may also receive reimbursement, at the rate and in the manner
4 applicable to other county officers, for actual and necessary
5 expenses incurred by them in attending conferences, meetings,
6 seminars or official business of the court either within or outside
7 of the State of Oklahoma.

8 D. In all counties having a juvenile bureau, the budget of the
9 juvenile bureau for salaries and expenses of the director,
10 counselors and other employees shall be established and funded as
11 follows:

12 1. All expenses incurred in complying with the provisions of
13 this article shall be a county charge or funded by a special sales
14 tax dedicated to juvenile programs and expenses;

15 2. The salaries and other compensation of all employees of the
16 juvenile bureau shall be fixed by the judge within the limit of the
17 total appropriations therefor; and

18 3. It is made the duty of the county excise board to make the
19 necessary appropriation and levy for the payment of salaries of the
20 director and all other employees, together with the expenses of
21 administering the bureau, consistent with the duty to do likewise
22 with the budget estimates of other county officers under the board's
23 jurisdiction, as required by the Constitution and laws of this
24 state.

1 ~~4.~~ E. Except in instances where it is entitled to
2 representation because of insurance coverage, the district attorney
3 of the county in which the juvenile bureau is located shall
4 represent the juvenile bureau and any employee who was acting in his
5 or her official capacity at the time of the act or omission
6 complained of in any lawsuit. If the district attorney has a
7 conflict of interest or otherwise declines to represent the juvenile
8 bureau or its employees, the county commissioners may request the
9 assistance of the Attorney General or authorize the employment of
10 private counsel for the juvenile bureau and its employees in their
11 official capacity.

12 SECTION 2. This act shall become effective November 1, 2021.

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14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
15 02/25/2021 - DO PASS, As Coauthored.

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