STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1337 By: Pugh

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AS INTRODUCED

An Act relating to education employees; amending 70 O.S. 2021, Section 6-104.1, as amended by Section 2, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.1), which relates to leave without pay for teachers; providing for paternity leave; updating statutory references; amending 70 O.S. 2021, Section 6-104.5, as amended by Section 3, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.5), which relates to pay deductions for certain leave; providing for paternity leave; updating statutory reference; amending 70 O.S. 2021, Section 6-104.6, as amended by Section 4, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.6), which relates to establishment of leave sharing program; providing for paternity leave; updating statutory references; amending Section 1, Chapter 291, O.S.L. 2023, as amended by Section 3, Chapter 57, O.S.L. 2025 (70 O.S. Supp. 2025, Section 6-104.8), which relates to maternity leave for education employees; providing for paternity leave; modifying name of revolving fund; modifying purpose of fund; updating statutory language; amending Section 7, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.9), which relates to the Public School Paid Maternity Leave Revolving Fund; modifying name of revolving fund; modifying purpose; updating statutory reference; amending Section 8, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.10), which relates to the Education Employee Paid Maternity Leave Revolving Fund; modifying name of revolving fund; modifying purpose; updating statutory reference; amending 10A O.S. 2021, Section 2-7-202, as last amended by Section 5, Chapter 291, O.S.L. 2023 (10A O.S. Supp. 2025, Section 2-7-202), which relates to duties of the Office of Juvenile Affairs; providing for

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paternity leave; updating statutory language; updating statutory reference; amending 57 O.S. 2021, Section 510.6a, as amended by Section 6, Chapter 291, O.S.L. 2023 (57 O.S. Supp. 2025, Section 510.6a), which relates to salaries for correctional teachers; providing for paternity leave; updating statutory references; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-104.1, as amended by Section 2, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.1), is amended to read as follows:

Section 6-104.1. After exhausting sick leave and extended leave pursuant to Sections 6-104 and 6-104.5 of this title and maternity or paternity leave pursuant to Section ± 6-104.8 of this act title, a full-time teacher who, with the proper approval of the district board of education, takes not more than ninety (90) school days of leave without pay to care for the teacher's child during the first year of the child's life; shall receive full credit for the days on leave without pay as though the teacher had been on leave with pay for purposes of computing experience for the minimum teacher salary schedule. A teacher on leave without pay pursuant to this section who pays the actuarial cost, as determined by the Board of Trustees of the Teachers' Retirement System of Oklahoma, shall have the period during which such leave without pay is taken, counted toward retirement service credit as though the teacher had been on leave

with pay. The teacher shall notify his or her employer and the System in writing within thirty (30) days from the date he or she returns to service that he or she will pay such actuarial cost. The teacher shall have up to twelve (12) months from the date he or she returns to service to pay such actuarial cost.

SECTION 2. AMENDATORY 70 O.S. 2021, Section 6-104.5, as amended by Section 3, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.5), is amended to read as follows:

Section 6-104.5. A. If, after exhausting all sick leave pursuant to Section 6-104 of this title and maternity or paternity leave pursuant to Section ± 6-104.8 of this act title, a teacher is absent from his or her duties due to personal accidental injury, illness, or pregnancy, the teacher shall receive for a period of not to exceed twenty (20) days his or her full contract salary less the amount:

- 1. Actually paid a certified substitute teacher for his or her position if a certified substitute teacher is hired; or
- 2. Normally paid a certified substitute teacher for his or her position if a certified substitute teacher is not hired.
- B. The district's plan <u>for sick leave benefits</u> may provide that the teacher is entitled to payment for accrued but unused sick leave upon termination of employment.

SECTION 3. AMENDATORY 70 O.S. 2021, Section 6-104.6, as amended by Section 4, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.6), is amended to read as follows:

Section 6-104.6. A. The board of education of each school district may establish a leave sharing program for all district employees. The program shall permit district employees to donate sick leave to a fellow district employee who is pregnant or recovering from childbirth or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate employment.

B. As used in this section:

- 1. "Relative of the employee" means a spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee;
- 2. "Household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune;
- 3. "Severe" or "extraordinary" means serious, extreme, or lifethreatening including temporary disability resulting from pregnancy, miscarriage, childbirth, and recovery therefrom; and

4. "District employee" means a teacher or any full-time
employee of the school district.

- C. A district employee may be eligible to receive shared leave pursuant to the following conditions:
- 1. The board of education determines that the employee meets the criteria described in this section; and
- 2. The employee has abided by district policies regarding the use of sick leave.
- D. A district employee may donate annual leave to another district employee only pursuant to the following conditions:
- 1. The receiving employee has exhausted, or will exhaust, maternity or paternity leave granted pursuant to Section 4 6-104.8 of this act title or sick leave earned pursuant to Section 6-104 of this title due to pregnancy, miscarriage, childbirth and recovery therefrom, an illness, injury, impairment, or physical or mental condition, which is of an extraordinary or severe nature, and involves the employee, a relative of the employee, or household member;
- 2. The condition has caused, or is likely to cause, the employee to go on leave without pay or to terminate employment;
- 3. The board of education of the district permits the leave to be shared with an eligible employee;
- 4. The amount of leave to be donated is within the limits set by the board of education of the district; and

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- 5. District employees may not donate excess sick leave that the donor would not be able to otherwise take.
- E. The board of education of each school district shall determine the amount of donated leave an employee may receive.
- F. The board of education shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.
- G. Donated sick leave is transferable between employees of different school districts in the state with the agreement of both boards of education of each school district.
- H. The receiving employee shall be paid the regular rate of pay of the employee. The sick leave received will be designated as shared sick leave and be maintained separately from all other sick leave balances.
- I. Any donated sick leave may only be used by the recipient for the purposes specified in this section.
- J. Maternity or paternity leave granted pursuant to Section 1
 6-104.8 of this act title and sick leave earned pursuant to Section
 6-104 of this title available for use by the recipient shall be used prior to using shared sick leave.
- K. Any shared sick leave not used by the recipient during each occurrence as determined by the board of education shall be returned to the donor. The shared sick leave remaining will be divided among

the donors on a prorated basis based on the original donated value and returned at its original donor value and reinstated to the annual leave balance of each donor.

- L. All donated sick leave shall be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave for purposes of the leave sharing program.
- M. In addition to the sick leave sharing program provided for in this section, the board of education of each school district may establish a sick leave sharing bank for all district employees. A district employee may donate sick leave to a common fund which may be used by any district employee who is eligible to receive shared leave as set forth in subsection A of this section. The terms and conditions for donation and use of sick leave to a leave sharing bank shall be subject to the provisions of this section, unless negotiations, entered into pursuant to Section 509.1 et seq. of this title, between district employees and the school district establish terms and conditions for a sick leave sharing bank in excess of those provided for in this section.
- SECTION 4. AMENDATORY Section 1, Chapter 291, O.S.L. 2023, as amended by Section 3, Chapter 57, O.S.L. 2025 (70 O.S. Supp. 2025, Section 6-104.8), is amended to read as follows:
- Section 6-104.8. A. 1. Full-time employees of a public school district in this state who have been employed by the school district

for at least one <u>(1)</u> year and have worked at least one thousand two hundred fifty (1,250) hours during the preceding twelve-month period;

- 2. Persons employed <u>full time</u> <u>full-time</u> as classroom instructional employees of technology center school districts supervised by the State Board of Career and Technology Education who have been employed by the technology center school district for at least one <u>(1)</u> year and have worked at least one thousand two hundred fifty (1,250) hours during the preceding twelve-month period;
- 3. Persons employed as teachers by the State Department of Rehabilitation Services who have been employed by the State Department of Rehabilitation Services for at least one (1) year and have worked at least one thousand two hundred fifty (1,250) hours during the preceding twelve-month period;
- 4. Persons employed <u>full time</u> <u>full-time</u> as correctional teachers or vocational instructors by the Department of Corrections pursuant to Section 510.6a of Title 57 of the Oklahoma Statutes who have been employed by a Department of Corrections facility for at least one <u>(1)</u> year and have worked at least one thousand two hundred fifty (1,250) hours during the preceding twelve-month period; and
- 5. Persons employed $\frac{\text{full-time}}{\text{full-time}}$ as teachers by the Office of Juvenile Affairs who have been employed by an Office of Juvenile Affairs facility for at least one $\frac{\text{(1)}}{\text{(1)}}$ year and have worked

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at least one thousand two hundred fifty (1,250) hours during the

preceding twelve-month period,

shall be entitled to six (6) weeks of paid maternity or paternity

leave following the birth of the employee's child. The six (6)

weeks of paid maternity or <u>paternity</u> leave shall be used immediately following the birth of the school district employee's child.

- B. 1. Paid maternity or paternity leave provided pursuant to paragraphs 1, 2, and 3 of subsection A of this section shall be in addition to and not in place of sick leave due to pregnancy, as authorized by Section 6-104 of this title.
- 2. Paid maternity or paternity leave provided pursuant to paragraph 4 of subsection A of this section shall be in addition to and not in place of sick leave due to pregnancy, as authorized by Section 510.6a of Title 57 of the Oklahoma Statutes.
- 3. Paid maternity or paternity leave provided pursuant to paragraph 5 of subsection A of this section shall be in addition to and not in place of sick leave due to pregnancy, as authorized by Section 2-7-202 of Title 10A of the Oklahoma Statutes.
- C. 1. Employees described in subsection A of this section shall have the right to utilize accrued sick leave to extend the duration of their maternity or paternity leave beyond the six (6) weeks provided by subsection A of this section. Such sick leave may be used for recovery from childbirth, bonding with a newborn, or caring for a newborn, and shall not require additional approval from

a school <u>district</u> board <u>of education</u> or employer, provided the employee has sufficient sick leave to cover the extended duration. Sick leave used pursuant to this subsection shall not exceed six (6) weeks, unless a licensed medical professional provides written certification recommending additional leave for medical necessity related to the employee's recovery from <u>child birth</u> <u>childbirth</u>, or for the care of <u>the a newborn</u>, to achieve a combined twelve (12) weeks of <u>FMLA Family and Medical Leave Act of 1993 (FMLA)</u> leave in accordance with paragraph 2 of this subsection.

- 2. An employee seeking to use sick leave to extend the duration of their maternity or paternity leave shall notify their his or her employer in accordance with the Family and Medical Leave Act of 1993 (FMLA) FMLA. FMLA leave shall run concurrently with the paid sick leave extended duration.
- D. An employee who takes maternity or paternity leave pursuant to the provisions of subsection A of this section shall not be deprived of any compensation or other benefits to which the employee is otherwise entitled.
- E. Each fiscal year, the Legislature shall appropriate adequate funding to the Public School Paid Maternity and Paternity Leave Revolving Fund created in Section 6-104.9 of this title for the purpose of providing paid maternity and paternity leave to eligible school district employees pursuant to paragraph 1 of subsection A of this section. If the Legislature does not appropriate adequate

funding specifically for the purpose of providing paid maternity <u>and</u>

<u>paternity</u> leave to school district employees, the State Board of

Education shall allocate from the funds appropriated to the State

Board of Education for the support of public school activities an

amount to fully fund paid maternity <u>and paternity</u> leave.

F. The State Board of Education, the State Board of Career and Technology Education, the Commission for Rehabilitation Services, the State Board of Corrections, and the Board of Juvenile Affairs may promulgate rules to implement the provisions of this section.

SECTION 5. AMENDATORY Section 7, Chapter 291, O.S.L.

2023 (70 O.S. Supp. 2025, Section 6-104.9), is amended to read as follows:

Section 6-104.9. A. There is hereby created in the State
Treasury a revolving fund for the State Board of Education to be
designated the "Public School Paid Maternity and Paternity Leave
Revolving Fund". The fund shall be a continuing fund, not subject
to fiscal year limitations, and shall consist of all monies received
by the State Board of Education from state appropriations provided
for the purposes set forth in Section 6-104.8 of this title. All
monies accruing to the credit of the fund are hereby appropriated
and may be budgeted and expended by the State Board of Education for
the purpose of reimbursing school districts for expenses related to
providing paid maternity and paternity leave as provided for in
subsection B of this section. Expenditures from the fund shall be

made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

- B. School districts in this state shall file claims with the State Board of Education for reimbursement of expenses related to providing eligible employees with paid maternity or paternity leave as provided for in Section \pm 6-104.8 of this act title.
- SECTION 6. AMENDATORY Section 8, Chapter 291, O.S.L. 2023 (70 O.S. Supp. 2025, Section 6-104.10), is amended to read as follows:

Section 6-104.10. A. There is hereby created in the State

Treasury a revolving fund for the Office of Management and

Enterprise Services to be designated the "Education Employee Paid

Maternity and Paternity Leave Revolving Fund". The fund shall be a

continuing fund, not subject to fiscal year limitations, and shall

consist of all monies received by the Office of Management and

Enterprise Services from state appropriations provided for the

purposes set forth in Section 6-104.8 of this title. All monies

accruing to the credit of the fund are hereby appropriated and may

be budgeted and expended by the Office of Management and Enterprise

Services for the purpose of reimbursing agencies for expenses

related to providing paid maternity and paternity leave as provided

for in subsection B of this section. Expenditures from the fund

shall be made upon warrants issued by the State Treasurer against

claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

- B. The Oklahoma Department of Career and Technology Education,

 the State Department of Rehabilitation Services, the Department of

 Corrections, and the Office of Juvenile Affairs shall file claims

 with the Director of the Office of Management and Enterprise

 Services for reimbursement of expenses related to providing eligible employees with paid maternity or paternity leave as provided for in

 Section ± 6-104.8 of this act title.
- SECTION 7. AMENDATORY 10A O.S. 2021, Section 2-7-202, as last amended by Section 5, Chapter 291, O.S.L. 2023 (10A O.S. Supp. 2025, Section 2-7-202), is amended to read as follows:
- Section 2-7-202. A. There is hereby created the Office of Juvenile Affairs which shall be responsible for programs and services for youthful offenders and juveniles alleged or adjudicated to be delinquent or in need of supervision. The Executive Director shall be responsible for established divisions and appointing Division Directors division directors within the Office of Juvenile Affairs.
- B. Suitable office space shall be provided by the Office of Management and Enterprise Services to the Office of Juvenile Affairs, to the extent necessary for the Office to implement its jurisdictional duties provided by the Oklahoma Juvenile Code, and the Office may incur necessary expenses for office rent.

1 C. Effective July 1, 1995, the Office of Juvenile Affairs shall be a Merit System agency and all employees of the Office of Juvenile Affairs shall be classified employees who are subject to the Oklahoma Personnel Act and the Merit System of Personnel Administration, except as otherwise provided by law. Eligible persons employed as teachers by the Office of Juvenile Affairs shall be entitled to paid maternity or paternity leave as provided for in Section \pm 6-104.8 of this act Title 70 of the Oklahoma Statutes. Effective June 1, 2020, employees hired for service at the Southwest Oklahoma Juvenile Center in Manitou shall be considered unclassified and employed in a term-limited appointment. If state services continue at the facility after the designated term, the employee may be transferred into a non-term-limited position. Current employees and employees hired prior to June 1, 2020, shall not be subject to this provision.

- Effective July 1, 1995, within its jurisdictional areas of responsibility, the Office of Juvenile Affairs, acting through the Executive Director, or persons authorized by law, rule, or designated by the Executive Director to perform such acts, shall have the power and duty to:
- 1. Advise, consult, cooperate, and enter into agreements with agencies of the state, municipalities and counties, other states and the federal government, and other persons;

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2. Enter into agreements for, accept, administer and use,
disburse and administer grants of money, personnel, and property
from the federal government or any department or agency thereof, or
from any state or state agency, or from any other source, to promote
and carry on in this state any program within its jurisdictional
area of responsibility;

- Require the establishment and maintenance of records and reports;
- 4. Establish a system of training for personnel in order to assure uniform statewide application of law and rules;
- 5. Enforce the provisions of the Oklahoma Juvenile Code and rules promulgated thereunder and orders issued pursuant thereto;
- 6. Charge and receive fees pursuant to fee schedules promulgated by the Board of Juvenile Affairs;
- 7. Conduct studies, research, and planning of programs and functions, pursuant to the authority granted by the Oklahoma Juvenile Code;
 - 8. Enter into interagency agreements;

- 9. Provide administrative and support services to the Board of Juvenile Affairs as necessary to assist the Board in the performance of its duties;
- 10. Establish and maintain such facilities and institutions as are necessary or convenient for the operation of programs for children under the jurisdiction of the Office of Juvenile Affairs;

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- 11. Lease, from time to time, any real property which the Board of Juvenile Affairs shall determine advisable to more fully carry into effect the operation of the Office of Juvenile Affairs in accordance with applicable state statutes. All such leases for real property shall be subject to the provisions of Section 63 of Title 74 of the Oklahoma Statutes;
- 12. Purchase or lease any equipment, supplies, or materials pursuant to the Oklahoma Central Purchasing Act;
 - 13. Contract for professional services;
- 14. Acquire, construct, extend, and operate any and all facilities of all kinds which in the judgment of the Executive Director and the approval of the Legislature shall be necessary or convenient to carry out the duties of the Office of Juvenile Affairs, as authorized by law;
- 15. Establish an employee recruitment and referral incentive program and promulgate internal agency policy for the operation of the program, which may include, but shall not be limited to, program purposes, pay incentives for employees, eligibility requirements, payment conditions and amounts, payment methods, payment recoupment, and record keeping recordkeeping; and
- 16. Exercise all incidental powers which are necessary and proper to implement and administer the purposes of the Oklahoma Juvenile Code.

E. The Office of Juvenile Affairs shall maintain a fair, simple, and expeditious system for resolution of grievances of all persons committed to the Office of Juvenile Affairs regarding the substance or application of any written or unwritten policy, rule of the Board of Juvenile Affairs or of an agent or contractor of the Office of Juvenile Affairs or any decision, behavior, or action by an employee, agent, or contractor or by any other person committed to the Office of Juvenile Affairs.

F. Effective November 1, 2012, the Office of Juvenile Affairs shall establish a system of certification in accordance with the Oklahoma Child Care Facilities Licensing Act for the shelters managed and operated by the Department of Human Services pursuant to the requirements of Section 1-9-111 of this title. The Office of Juvenile Affairs shall certify shelters pursuant to the requirements of existing rules as established by the Oklahoma Commission on Children and Youth until such time the Office of Juvenile Affairs has promulgated rules for the certification of shelters.

SECTION 8. AMENDATORY 57 O.S. 2021, Section 510.6a, as amended by Section 6, Chapter 291, O.S.L. 2023 (57 O.S. Supp. 2025, Section 510.6a), is amended to read as follows:

Section 510.6a. A. Persons certified to teach in this state and meeting all minimum qualifications set by the Office of Management and Enterprise Services, who are hired or employed as correctional teachers or vocational instructors by the Department of

Corrections educational program, shall receive in salary the minimum amounts specified in Section 1 18-114.15 of Enrolled Senate Bill No. 1119 of the 1st Session of the 59th Oklahoma Legislature Title 70 of the Oklahoma Statutes multiplied by a factor of 1.20. Correctional teachers serving as lead workers with supervisory responsibilities shall receive the minimum amounts specified above multiplied by a factor of 1.25. Correctional teachers who have a special education certificate shall receive salary of an additional five percent (5%). Correctional teachers shall receive the benefits set forth in Sections 1370 and 1707 of Title 74 of the Oklahoma Statutes; provided, however, correctional teachers shall not be eliqible for longevity payments pursuant to Section 840-2.18 of Title 74 of the Oklahoma Statutes. Eligible persons employed as correctional teachers or vocational instructors by the Department of Corrections shall be entitled to paid maternity or paternity leave as provided for in Section $\frac{1}{2}$ 6-104.8 of this act Title 70 of the Oklahoma Statutes.

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B. Persons employed by the Department of Corrections school system as nonteaching administrators shall be in the unclassified service and shall not be placed under the classified service; however, any classified employee occupying an administrative position prior to July 1, 2000, shall retain the right to remain in the classified service. At such time as such position becomes vacant, it shall be placed in the unclassified service.

1 C. Except as provided by this section of law, the employment of 2 persons by the Department of Corrections educational program as 3 teachers or administrators shall be entirely governed by the provisions of Title 74 of the Oklahoma Statutes and any other laws 5 or rules regarding state employees and their employment; however, no 6 Department of Corrections correctional teacher or vocational 7 instructor, whose salary is calculated in accordance with the 8 provisions of this section, shall be entitled to receive any pay 9 increases for state employees authorized elsewhere in statute, rule, 10 Correctional teachers or vocational instructors shall 11 receive any legislated pay increases granted in addition to the 12 Title 70 minimum salary schedule provided for in Title 70 of the 13 Oklahoma Statutes; provided, such increases are given to all common 14 education/vocational technical teachers.

D. The salaries for all correctional teachers and vocational instructors shall be adjusted annually on July 1 unless legislation authorizes a pay raise for educators with an implementation date other than July 1, in which case the annual adjustment shall occur on the date of the pay raise implementation.

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E. The monthly salaries of correctional teachers and vocational instructors employed by the Department of Corrections on the effective date of this act July 1, 2005, will be adjusted according to the procedures authorized in subsection A of this section on the first day of the month following the effective date of this act July

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    1, 2005. Longevity payments will be eliminated in the month
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    following the effective date of this act July 1, 2005, for
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    correctional teachers and vocational instructors whose salaries are
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    calculated according to the provisions of this section. The
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    salaries of the employees governed by this section who are employed
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    on the effective date of this act July 1, 2005, will be
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    recalculated. The recalculation will be based on the provisions of
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    subsection A of this section for actual time employed as a
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    Department of Corrections correctional teacher or vocational
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    instructor between July 1, 2004, and the last day of the month in
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    which this act becomes effective July 2005. Authorized employees
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    will receive a one-time payment equal to the difference between the
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    recalculated salary amount and the compensation received.
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        SECTION 9. This act shall become effective July 1, 2026.
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        SECTION 10. It being immediately necessary for the preservation
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    of the public peace, health, or safety, an emergency is hereby
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    declared to exist, by reason whereof this act shall take effect and
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    be in full force from and after its passage and approval.
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