

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1038

By: Walke of the House

and

Simpson of the Senate

[court reporters - salaries - effective date]

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

"An Act relating to courts; amending 20 O.S. 2011,
Sections 1227, as last amended by Section 1, Chapter
12, O.S.L. 2017, 1310.1, as last amended by Section
5, Chapter 354, O.S.L. 2019, 1310.2, as last amended
by Section 3, Chapter 12, O.S.L. 2017 and 1310.3, as
last amended by Section 4, Chapter 12, O.S.L. 2017
(20 O.S. Supp. 2019, Sections 1227, 1310.1, 1310.2
and 1310.3), which relate to the Law Library
Revolving Fund, Supreme Court Revolving Fund, State
Judicial Revolving Fund and Supreme Court
Administrative Revolving Fund; extending date for
transfer of monies; updating statutory language; and
declaring an emergency.

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

SECTION 1. AMENDATORY 20 O.S. 2011, Section 1227, as
last amended by Section 1, Chapter 12, O.S.L. 2017 (20 O.S. Supp.
2019, Section 1227), is amended to read as follows:

1 Section 1227. A. There is hereby created in the State Treasury
2 a revolving fund for the Supreme Court to be designated the "Law
3 Library Revolving Fund". The fund shall be a continuing fund, not
4 subject to fiscal year limitations, and shall consist of all monies
5 collected by the clerks of the district court for law libraries as
6 prescribed by law, the sales of any law library books or equipment,
7 charges for services, gifts, grants, private donations, and federal
8 funding. All monies accruing to the credit of the fund are hereby
9 appropriated and may be budgeted and expended by the Supreme Court
10 upon approval of the Chief Justice for:

11 1. The payment of charges due and owing by county law libraries
12 at the time this statute is enacted;

13 2. The purchase of books, journals, publications, computer-
14 assisted research devices and services, computer equipment and
15 maintenance, communication charges, and other necessary equipment,
16 services, and fixtures;

17 3. The payment of the salaries and benefits of personnel to
18 administer the law libraries and assist in the purchase, sale, and
19 inventory of books and equipment and the payment of all bills due
20 and owing by county law libraries. Without regard for the county in
21 which bills were incurred or monies accrued, all monies received in
22 the fund shall be combined and all bills paid from this fund;

23 4. The payment of incidental expenses as established in rules
24 promulgated by the Supreme Court;

1 5. The payment of expenses occurring as the result of a natural
2 disaster, accident, or equipment malfunction which is not reasonably
3 foreseeable;

4 6. No initial orders or renewals for printed materials not
5 previously on subscription may be placed after July 1, 1997; and

6 7. On or before August 1, 1997, the Administrative Director of
7 the Courts shall solicit proposals for electronic research services
8 to be provided to county law libraries if funds are available. Such
9 proposals shall provide both compact disc and Internet access
10 capabilities.

11 Expenditures from this fund shall be made upon warrants issued
12 by the State Treasurer against claims filed as prescribed by law
13 with the Director of the Office of Management and Enterprise
14 Services for approval and payment.

15 B. Until June 30, ~~2018~~ 2021, the Office of Management and
16 Enterprise Services shall, at the request of the Administrative
17 Director of the Courts, transfer any monies from the Law Library
18 Revolving Fund to the Supreme Court Administrative Revolving Fund or
19 the Interagency Reimbursement Fund as necessary to perform the
20 duties imposed upon the Supreme Court, Court of Civil Appeals and
21 district courts by law.

22 SECTION 2. AMENDATORY 20 O.S. 2011, Section 1310.1, as
23 last amended by Section 5, Chapter 354, O.S.L. 2019 (20 O.S. Supp.
24 2019, Section 1310.1), is amended to read as follows:

1 Section 1310.1. A. There is hereby created in the State
2 Treasury a revolving fund for the Supreme Court, to be designated
3 the "Supreme Court Revolving Fund". The fund shall be a continuing
4 fund, not subject to fiscal year limitations, and shall consist of
5 monies appropriated by the Legislature for the purposes specified in
6 this section and fees collected pursuant to Sections 72, 73.5, 1506
7 and 1707 of this title and paragraph 2 of subsection E of Section
8 152 of Title 28 of the Oklahoma Statutes. All monies accruing to
9 the credit of the fund are hereby appropriated and may be budgeted
10 and expended by the Supreme Court for refunds to bondsmen and for
11 the purpose of paying expenses authorized by Section 1809 of Title
12 12 of the Oklahoma Statutes, Sections 103.1, 1311, 1507, 1660 and
13 1707 of this title, Sections 562 and 1355.13A of Title 22 and
14 paragraph 2 of subsection E of Section 152 of Title 28 of the
15 Oklahoma Statutes, and to make any other expenditures determined by
16 the Supreme Court to be necessary due to unforeseen emergencies
17 impacting the operation of state courts, as well as recurring and
18 nonrecurring expenditures to perform the duties imposed upon the
19 Supreme Court or Court of Civil Appeals by law. Expenditures from
20 the fund shall be made upon warrants issued by the State Treasurer
21 against claims filed as prescribed by law with the Director of the
22 Office of Management and Enterprise Services for approval and
23 payment.

24

1 B. Until June 30, ~~2018~~ 2021, the Office of Management and
2 Enterprise Services shall at the request of the Administrative
3 Director of the Courts, transfer any monies from the Supreme Court
4 Revolving Fund to the Supreme Court Administrative Revolving Fund or
5 the Interagency Reimbursement Fund as necessary to perform the
6 duties imposed upon the Supreme Court, Court of Civil Appeals and
7 district courts by law.

8 SECTION 3. AMENDATORY 20 O.S. 2011, Section 1310.2, as
9 last amended by Section 3, Chapter 12, O.S.L. 2017 (20 O.S. Supp.
10 2019, Section 1310.2), is amended to read as follows:

11 Section 1310.2. A. There is hereby created in the State
12 Treasury a revolving fund for the Supreme Court to be designated the
13 "State Judicial Revolving Fund". The fund shall be a continuing
14 fund, not subject to fiscal year limitations, and shall consist of
15 all receipts designated for deposit thereto pursuant to law and
16 monies appropriated by the Legislature for deposit thereto. All
17 monies accruing to the credit of ~~said~~ the fund are hereby
18 appropriated and may be budgeted by the Supreme Court as necessary
19 to perform the duties imposed upon the Supreme Court, Court of Civil
20 Appeals and district courts by law. The Administrative Director of
21 the Courts, with the approval of the Chief Justice of the Supreme
22 Court, is authorized to use the amounts deposited in the State
23 Judicial Revolving Fund for any lawful purpose including, but not
24 limited to, payment of recurring and nonrecurring administrative and

1 operating expenses for the Supreme Court and the district courts,
2 subject to the ceilings established in the annual appropriations to
3 the Supreme Court and the district courts. The Chief Justice of the
4 Supreme Court, or the Administrative Director of the Courts acting
5 at the direction of the Chief Justice, shall determine the
6 allocation of funds and expenditures between or among the Supreme
7 Court, Court of Civil Appeals, and district courts. Expenditures
8 from ~~said~~ the fund shall be made upon warrants issued by the State
9 Treasurer against claims filed as prescribed by law with the
10 Director of the Office of Management and Enterprise Services for
11 approval and payment. The Supreme Court is hereby authorized to
12 transfer funds from the State Judicial Revolving Fund to the
13 district courts for duties imposed by law.

14 B. Until June 30, ~~2018~~ 2021, the Office of Management and
15 Enterprise Services shall, at the request of the Administrative
16 Director of the Courts, transfer any monies from the State Judicial
17 Revolving Fund to the Supreme Court Administrative Revolving Fund as
18 necessary to perform the duties imposed upon the Supreme Court,
19 Court of Civil Appeals and district courts by law.

20 SECTION 4. AMENDATORY 20 O.S. 2011, Section 1310.3, as
21 last amended by Section 4, Chapter 12, O.S.L. 2017 (20 O.S. Supp.
22 2019, Section 1310.3), is amended to read as follows:

23 Section 1310.3. A. There is hereby created in the State
24 Treasury a revolving fund for the Supreme Court to be designated as

1 the "Supreme Court Administrative Revolving Fund". The fund shall
2 be a continuing fund, not subject to fiscal year limitations, and
3 shall consist of all monies transferred by the Supreme Court in any
4 given fiscal year or years. All monies accruing to the credit of
5 the fund are hereby appropriated and shall be budgeted and expended
6 by the Supreme Court as necessary to perform the duties imposed upon
7 the Supreme Court, Court of Civil Appeals and district courts by
8 law. Expenditures from ~~said~~ the fund shall be made upon warrants
9 issued by the State Treasurer against claims filed as prescribed by
10 law with the Director of the Office of Management and Enterprise
11 Services for approval and payment.

12 B. Until June 30, ~~2018~~ 2021, the Office of Management and
13 Enterprise Services shall, at the request of the Administrative
14 Director of the Courts, transfer any monies from the Supreme Court
15 Administrative Revolving Fund to the Interagency Reimbursement Fund
16 as necessary to perform the duties imposed upon the Supreme Court,
17 Court of Civil Appeals and district courts by law.

18 SECTION 5. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval."
22
23
24

1 ENGROSSED HOUSE
2 BILL NO. 1038

By: Walke of the House

3 and

4 Simpson of the Senate

5
6
7 [court reporters - salaries - effective date]
8
9

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

11 SECTION 6. AMENDATORY 20 O.S. 2011, Section 106.9, is
12 amended to read as follows:

13 Section 106.9 A. ~~Until October 1, 2006, the salaries of all~~
14 ~~court reporters regularly engaged by the district court, the~~
15 ~~Workers' Compensation Court, or the Corporation Commission shall be~~
16 ~~paid by the state, except as otherwise provided in this section.~~
17 ~~Full-time court reporters regularly engaged by the district court,~~
18 ~~the Workers' Compensation Court and the Corporation Commission who~~
19 ~~are certified shorthand reporters shall be paid Thirty-five Thousand~~
20 ~~Six Hundred Dollars (\$35,600.00) per year, payable monthly.~~
21 ~~Effective October 1, 2006, the salaries of all court reporters~~
22 ~~regularly engaged by the district court, the Workers' Compensation~~
23 ~~Court, or the Corporation Commission shall be paid by the state,~~
24 ~~except as otherwise provided in this section. Full-time The Office~~

1 of Management and Enterprise Services is hereby authorized and
2 required to develop job descriptions and a compensation schedule for
3 all full-time court reporters regularly engaged by the district
4 courts, the Workers' Compensation Court of Existing Claims and the
5 Corporation Commission who are certified shorthand reporters. The
6 Office of Management and Enterprise Services shall establish and
7 publish the compensation schedules by January 1, 2020. Beginning
8 July 1, 2020, all full-time court reporters regularly engaged by the
9 district court, the Workers' Compensation Court of Existing Claims
10 and the Corporation Commission who are certified shorthand reporters
11 shall be paid ~~Thirty-nine Thousand One Hundred Sixty Dollars~~
12 ~~(\$39,160.00) per year, payable monthly in accordance with the~~
13 compensation schedules developed by the Office of Management and
14 Enterprise Services as prescribed by this subsection.

15 B. In addition to their base salaries, official court reporters
16 who are certified or licensed shorthand reporters and those acting
17 shorthand reporters pursuant to paragraph c of Section 106.3B of
18 this title shall be paid annually the sum of Four Hundred Dollars
19 (\$400.00) for each year of service to the district court, the
20 Workers' Compensation Court, the Workers' Compensation Court of
21 Existing Claims and the Corporation Commission, with a maximum of
22 twenty (20) years of service only to be used for the purpose of
23 longevity, not to exceed Eight Thousand Dollars (\$8,000.00) per
24 year, payable monthly. For the purpose of payment for longevity,

1 "years of service" is defined as all years served as a certified or
2 licensed court reporter in the district court, the Workers'
3 Compensation Court, the Workers' Compensation Court of Existing
4 Claims and the Corporation Commission after June 30, 1978. Such
5 longevity payments shall begin on July 1 of each year following
6 completion of one (1) year's service as defined herein.

7 C. In addition to their base salaries, official court reporters
8 who are certified shorthand reporters shall be paid the following:

9 1. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per
10 year, payable monthly, to any official court reporter who is a
11 Registered Professional Reporter (RPR), as recognized by the State
12 Board of Examiners of Certified Shorthand Reporters. To qualify as
13 a RPR, an official court reporter shall have a proficiency level in
14 reporting testimony and proceedings of a speed of not less than two
15 hundred twenty-five (225) words per minute in taking a question-and-
16 answer-type dictation, two hundred (200) words per minute in taking
17 a jury charge and one hundred eighty (180) words per minute in
18 taking literary material, shall pass a Written Knowledge Test with a
19 score of at least seventy percent (70%), all as determined by an
20 examination recognized by the Board, and shall complete thirty (30)
21 hours of continuing education per three-year cycle commencing at the
22 date of recognition;

23 2. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per
24 year, payable monthly, to any official court reporter who is a

1 Registered Merit Reporter (RMR), as recognized by the State Board of
2 Examiners of Certified Shorthand Reporters. To qualify as a RMR, an
3 official court reporter shall have a proficiency level in reporting
4 testimony and proceedings of a speed of not less than two hundred
5 sixty (260) words per minute in taking a question-and-answer-type
6 dictation, two hundred forty (240) words per minute in taking a jury
7 charge and two hundred (200) words per minute in taking literary
8 material, shall pass a Written Knowledge Test with a score of at
9 least seventy percent (70%), all as determined by an examination
10 recognized by the Board, and shall complete thirty (30) hours of
11 continuing education per three-year cycle commencing at the date of
12 recognition;

13 3. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per
14 year, payable monthly, to any official court reporter who is a
15 Registered Diplomat Reporter (RDR), as recognized by the State Board
16 of Examiners of Certified Shorthand Reporters, and who completes
17 thirty (30) hours of continuing education per three-year cycle
18 commencing at the date of recognition;

19 4. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per
20 year, payable monthly, to any official court reporter who is a
21 Certified Realtime Reporter (CRR), as recognized by the State Board
22 of Examiners of Certified Shorthand Reporters, and who completes
23 thirty (30) hours of continuing education per three-year cycle
24 commencing at the date of recognition; or

1 5. Any official court reporter who is the holder of more than
2 one certification shall be compensated in the additional amounts
3 specified in paragraphs 1 through 4 of this subsection for each
4 certification up to a maximum of Six Thousand Dollars (\$6,000.00)
5 per year over and above the reporter's base salary, payable monthly.

6 D. Court reporters temporarily employed by the district court,
7 Workers' Compensation Court of Existing Claims, or Corporation
8 Commission shall be compensated by the court fund of the court which
9 they serve at a rate to be set by such court. In addition, court
10 reporters temporarily employed pursuant to this subsection who are
11 required by the terms of their employment to travel outside their
12 county of residence, shall receive reimbursement for mileage
13 actually and necessarily traveled to and from the place of
14 attendance at a rate not to exceed the rate of reimbursement
15 specified in the State Travel Reimbursement Act for state employees.
16 Any travel reimbursement shall be paid from the court fund of the
17 court where the service of the temporarily employed court reporter
18 is provided.

19 SECTION 7. This act shall become effective November 1, 2019.
20
21
22
23
24

1 Passed the House of Representatives the 13th day of March, 2019.

2
3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

6
7
8 _____
9 Presiding Officer of the Senate