

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2287

By: Wright

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5  
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.  
8 2011, Sections 150.6a, as last amended by Section 1,  
9 Chapter 62, O.S.L. 2015 and 150.7, as amended by  
10 Section 1, Chapter 136, O.S.L. 2015 (74 O.S. Supp.  
11 2018, Sections 150.6a and 150.7), which relate to  
12 salaries of Oklahoma State Bureau of Investigation  
13 employees and duties of the Director; removing salary  
14 requirement for Deputy and Division Directors of the  
15 Oklahoma State Bureau of Investigation; eliminating  
16 employee qualification requirement for Deputy  
17 Director; and providing an effective date.

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

19 SECTION 1. AMENDATORY 74 O.S. 2011, Section 150.6a, as  
20 last amended by Section 1, Chapter 62, O.S.L. 2015 (74 O.S. Supp.  
21 2018, Section 150.6a), is amended to read as follows:

22 Section 150.6a ~~The salary of the Deputy Director shall be~~  
23 ~~ninety-five percent (95%) of that received by the Director. The~~  
24 ~~salary of a Division Director shall be ninety percent (90%) of that~~  
~~received by the Director.~~ Subject to the availability of funds, the  
annual salaries for Oklahoma State Bureau of Investigation employees  
shall be in accordance and conformity with ~~the findings of the State~~

1 ~~of Oklahoma Total Remuneration Study of 2013, exclusive of longevity~~  
2 ~~pay, as authorized by Section 840-2.18 of this title or the findings~~  
3 of state or agency salary, compensation, and remuneration studies or  
4 surveys approved by the Human Capital Management Division of the  
5 Office of Management and Enterprise Services.

6 Nothing in this section shall be construed to prohibit a  
7 reduction in pay or salary due to involuntary leave without pay as  
8 authorized in Section 840-2.27C of this title.

9 SECTION 2. AMENDATORY 74 O.S. 2011, Section 150.7, as  
10 amended by Section 1, Chapter 136, O.S.L. 2015 (74 O.S. Supp. 2018,  
11 Section 150.7), is amended to read as follows:

12 Section 150.7 The Director of the Oklahoma State Bureau of  
13 Investigation shall have the following powers, duties and  
14 responsibilities:

15 1. To appoint or dismiss a Deputy Director ~~who shall have the~~  
16 ~~same qualifications as the Director~~ to assist in the administration  
17 of the agency;

18 2. To supervise the maintaining of all reports and records of  
19 the Bureau and to promulgate administrative rules concerning the  
20 destruction and retention of such records. Such records shall not  
21 be transferred to the custody or control of the Archives and Records  
22 Commission or be subject to the provisions of Section 590 of Title  
23 21 of the Oklahoma Statutes. The Director may, pursuant to adopted  
24 and promulgated administrative rule, order destruction of records

1 deemed to be no longer of value to the Bureau, excluding  
2 criminalistic and investigative records which shall forever be kept  
3 and maintained;

4 3. To report to the Commission at each regular meeting, or as  
5 directed by the Commission, the current workload of the Bureau.

6 Such reports shall be submitted by category of the persons or  
7 entities authorized to initiate investigations as provided for in  
8 subsection A of Section 150.5 of this title, and any other category  
9 the Commission may request which does not violate the  
10 confidentiality restrictions imposed in Sections 150.1 through ~~152.9~~  
11 152.12 of this title. Such reports shall contain the following  
12 information:

- 13 a. what types of investigations are pending,
- 14 b. what new types of investigations have been opened,
- 15 c. what types of investigations have been closed, and
- 16 d. what criminal charges have been filed as a result of  
17 Bureau investigations.

18 The reports shall not contain any information on the individual  
19 subjects of the investigation or persons questioned in connection  
20 with an investigation. These reports shall be open for public  
21 inspection;

22 4. To designate positions, appoint employees and fix salaries  
23 of the Bureau, other than the salaries established by ~~subsection A~~

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1 ~~of~~ Section 150.6a of this title, and to authorize the payment of  
2 necessary certification expenses for the employees;

3 5. To authorize the purchase and issuance of uniforms for all  
4 law enforcement officers, criminalists, and other personnel of the  
5 Bureau as designated by the Director and to purchase and issue  
6 necessary equipment for all employees of the Bureau. All uniforms  
7 and equipment shall be used only in the performance of the official  
8 duties of the officers, criminalists or other personnel and shall  
9 remain the property of the Bureau except as otherwise provided by  
10 law; and

11 6. To enter into local cooperative agreements with local law  
12 enforcement agencies for the purpose of appointing affiliate task  
13 force agents to assist the Bureau in the investigation of major  
14 crimes under the jurisdiction of the Bureau. Affiliate task force  
15 agents shall be employees and commissioned law enforcement officers  
16 of the local law enforcement agency entering into agreement with the  
17 Bureau and shall not be employees of the Bureau. Affiliate task  
18 force agents shall have general peace officer powers and the  
19 authority to arrest persons throughout the state while serving as an  
20 affiliate task force agent. Affiliate task force agents serve  
21 solely at the discretion and will of the Director. The Director may  
22 renew, suspend, or revoke any agreement appointing an affiliate task  
23 force agent at any time.

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SECTION 3. This act shall become effective November 1, 2019.

57-1-5392            GRS            12/12/18