

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2021

By: Lepak

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5  
6 AS INTRODUCED

7 An Act relating to the State Board of Corrections;  
8 amending 57 O.S. 2011, Sections 503, 504 and 506, as  
9 last amended by Section 2, Chapter 386, O.S.L. 2016  
10 (57 O.S. Supp. 2018, Section 506), which relate to  
11 the State Board of Corrections; making Board an  
12 advisory body; transferring duties to the Executive  
13 Director; modifying powers and duties of the Board;  
14 authorizing Governor to appoint Director; providing  
15 for determination of compensation; and providing an  
16 effective date.

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

18 SECTION 1. AMENDATORY 57 O.S. 2011, Section 503, is  
19 amended to read as follows:

20 Section 503. There is hereby created the State Board of  
21 Corrections which shall be ~~the governing board of the Department an~~  
22 advisory body to the Director of Corrections herein created. All  
23 duties and powers of the Board shall be transferred to the Director.  
24 Any provision in statute that provides to the Board authority that  
is not advisory in nature shall be deemed to grant the duty or power  
to the Director. The Board shall consist of seven (7) members who

1 shall be appointed by the Governor with the advice and consent of  
2 the Senate. One member shall be appointed from each congressional  
3 district and any remaining members shall be appointed from the state  
4 at large. However, when congressional districts are redrawn each  
5 member appointed prior to July 1 of the year in which such  
6 modification becomes effective shall complete the current term of  
7 office and appointments made after July 1 of the year in which such  
8 modification becomes effective shall be based on the redrawn  
9 districts. Appointments made after July 1 of the year in which such  
10 modification becomes effective shall be from any redrawn districts  
11 which are not represented by a board member until such time as each  
12 of the modified congressional districts are represented by a board  
13 member. No appointments may be made after July 1 of the year in  
14 which such modification becomes effective if such appointment would  
15 result in more than two members serving from the same modified  
16 district. The terms of office of two members shall expire on March  
17 15, 1969, and each six (6) years thereafter; the terms of two  
18 members shall expire on March 15, 1971, and each six (6) years  
19 thereafter; and the terms of three members shall expire on March 15,  
20 1973, and each six (6) years thereafter. Not more than four members  
21 of the Board shall be of the same political party. Any member of  
22 the Board may be removed from office in the manner provided by law  
23 for the removal of officers not subject to impeachment. Vacancies  
24 on the Board shall be filled for the unexpired term.

1 SECTION 2. AMENDATORY 57 O.S. 2011, Section 504, is  
2 amended to read as follows:

3 Section 504. ~~(a) A.~~ The ~~Board shall elect from its members a~~  
4 ~~chairman, vice chairman and a secretary.~~ It Director of Corrections  
5 shall adopt rules and regulations ~~for its government~~ and may adopt  
6 an official seal for the Department. ~~Members shall be reimbursed~~  
7 ~~for travel expenses, as provided in the State Travel Reimbursement~~  
8 ~~Act while attending meetings of the Board or while performing other~~  
9 ~~official duties.~~

10 ~~(b) B.~~ The ~~Board~~ Director shall have the following powers and  
11 duties:

12 ~~(1) 1.~~ To establish policies for the operation of the  
13 Department;

14 ~~(2) 2.~~ To establish and maintain such institutions as are  
15 necessary or convenient for the operation of programs for the  
16 education, training, vocational education and rehabilitation of  
17 prisoners under the jurisdiction of the Department;

18 ~~(3) 3.~~ To lease, from time to time, without restriction as to  
19 terms, any property which said ~~Board~~ Director shall determine  
20 advisable to more fully carry into effect the operation of prison  
21 industries;

22 ~~(4) 4.~~ To acquire, construct, extend, improve, maintain and  
23 operate any and all facilities of all kinds which in the judgment of  
24

1 the ~~Board~~ Director shall be necessary or convenient to foster the  
2 prison industries program;

3 ~~(5)~~ 5. To require ~~the Director and any other~~ personnel of the  
4 Department, when deemed necessary by the ~~Board~~ Governor, to give  
5 bond for the faithful performance of their duties;

6 ~~(6) To appoint and fix the salary of the Director;~~

7 ~~(7)~~ 6. To enter into contracts with private prison contractors;  
8 and

9 ~~(8)~~ 7. To provide training to employees of private prison  
10 contractors and other governmental entities on a fee basis.

11 SECTION 3. AMENDATORY 57 O.S. 2011, Section 506, as last  
12 amended by Section 2, Chapter 386, O.S.L. 2016 (57 O.S. Supp. 2018,  
13 Section 506), is amended to read as follows:

14 Section 506. There is hereby created the position of Director  
15 of Corrections. The Director shall be qualified for such position  
16 by character, knowledge, skill, ability, education, training and  
17 successful administrative experience and shall have five (5) years  
18 of professional level work. The Director of Corrections shall be  
19 appointed by the ~~Board of Corrections, with the advice and consent~~  
20 ~~of the Senate and shall be subject to removal by a vote of the~~  
21 ~~majority of the entire Board or in the manner provided by law for~~  
22 ~~the removal of officers not subject to impeachment~~ Governor, with  
23 the advice and consent of the Senate, and shall serve at the  
24 pleasure of the Governor and may be removed or replaced without

1 cause. Compensation for the Director shall be determined pursuant  
2 to Section 3601.2 of Title 74 of the Oklahoma Statutes.

3 SECTION 4. This act shall become effective November 1, 2019.

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5 57-1-5152 LRB 01/12/19

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