

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2239

By: Sears and Casey of the
 House

 and

 Jolley and Treat of the
 Senate

12 COMMITTEE SUBSTITUTE

13 An Act relating to the Office of Juvenile Affairs;
14 requiring budgeting in certain categories and
15 amounts; requiring certain performance measures;
16 providing for duties and compensation of employees;
17 authorizing certain attorney position; providing
18 budgetary limitations; authorizing certain requests
19 for exemptions from expenditure limitations and
20 budgetary limitations; requiring certain procedures;
21 requiring certain filings; requiring certain
22 approvals; requiring written notice; providing lapse
23 dates; requiring and prohibiting certain budget
24 procedures; providing an effective date; and
 declaring an emergency.

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

1 SECTION 1. For the fiscal year ending June 30, 2016, the Office
2 of Juvenile Affairs shall budget all funds in the following
3 categories and amounts:

4	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5	Administration	\$ 6,801,280.00	\$ 6,977,284.00
6	Santa Claus	0.00	10,000.00
7	Office of Juvenile Justice and		
8	Delinquency Prevention (OJJDP)	115,458.00	811,458.00
9	Juvenile Accountability Block		
10	Grant (JABG)	105,694.00	730,694.00
11	Residential Services	26,260,836.00	33,910,836.00
12	Nonresidential Services	43,180,305.00	53,622,932.00
13	Community Youth Services		
14	Agencies	21,330,164.00	22,180,164.00
15	Information Technology (IT)	<u>1,205,296.00</u>	<u>1,355,296.00</u>
16	TOTAL	\$98,999,033.00	\$119,598,664.00

17 The agency shall develop outcome-based performance measures for
18 each budget category.

19 SECTION 2. The duties and compensation of employees, not
20 otherwise prescribed by law, necessary to perform the duties imposed
21 upon the Office of Juvenile Affairs by law shall be set by the
22 Director. The Office of Juvenile Affairs is hereby authorized one
23 (1) FTE for an attorney position. This shall be in addition to the
24 position of General Counsel. The Office of Juvenile Affairs for the

1 fiscal year ending June 30, 2016, shall be subject to the following
2 budgetary limitations on expenditures excluding expenditures for
3 capital and special projects, except as may be authorized pursuant
4 to the provisions of Section 3603 of Title 74 of the Oklahoma
5 Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Lease-Purchase Agreements	\$0.00

8 SECTION 3. A. The Director of the Office of Juvenile Affairs
9 may request that receipt and expenditure of unanticipated federal
10 funds awarded after July 1, 2015, be exempt from expenditure
11 limitations and from budgetary limitations.

12 1. The Director shall make a request for exemption to the
13 Director of the Office of Management and Enterprise Services in
14 writing and file a revised budget work program.

15 2. The Director shall also file copies of the request for
16 exemption and budget work program revisions with the Chair and Vice-
17 chair of the Joint Legislative Committee on Budget and Program
18 Oversight. The Committee shall notify the Director of the Office of
19 Management and Enterprise Services of any noncompliance of the
20 request with legislative intent within twelve (12) calendar days of
21 their receipt of the exemption request.

22 B. The Director of the Office of Management and Enterprise
23 Services shall approve the request for exemption unless both the
24 Chair and Vice-chair of the Joint Legislative Committee on Budget

1 and Program Oversight provide written notification to the Director
2 of the Office of Management and Enterprise Services within twelve
3 (12) calendar days of the Committee's receipt of the exemption
4 request that the exemption subverts the intention and objectives of
5 the Legislature in establishing the original limit. The Director of
6 the Office of Management and Enterprise Services shall give written
7 notice of approval or disapproval of each exemption to the agency,
8 the Governor and the Chair and Vice-chair of the Joint Legislative
9 Committee on Budget and Program Oversight within eighteen (18)
10 calendar days of receiving the request.

11 SECTION 4. Appropriations made by Section 74 of House Bill No.
12 2242 of the 1st Session of the 55th Oklahoma Legislature, not
13 including appropriations made for capital outlay purposes, may be
14 budgeted for the fiscal year ending June 30, 2016 (hereafter FY-16),
15 or may be budgeted for the fiscal year ending June 30, 2017
16 (hereafter FY-17). Funds budgeted for FY-16 may be encumbered only
17 through June 30, 2016, and must be expended by November 15, 2016.
18 Any funds remaining after November 15, 2016, and not budgeted for
19 FY-17, shall lapse to the credit of the proper fund for the then
20 current fiscal year. Funds budgeted for FY-17 may be encumbered
21 only through June 30, 2017. Any funds remaining after November 15,
22 2017, shall lapse to the credit of the proper fund for the then
23 current fiscal year. These appropriations may not be budgeted in
24 both fiscal years simultaneously. Funds budgeted in FY-16, and not

1 required to pay obligations for that fiscal year, may be budgeted
2 for FY-17, after the agency to which the funds have been
3 appropriated has prepared and submitted a budget work program
4 revision removing these funds from the FY-16 budget work program and
5 after such revision has been approved by the Office of Management
6 and Enterprise Services.

7 SECTION 5. This act shall become effective July 1, 2015.

8 SECTION 6. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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13 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
14 AND BUDGET, dated 05/20/2015 - DO PASS.

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