

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 BILL NO. 29

 By: Shaw of the Senate

 and

 Wright of the House

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9 An Act relating to the Oklahoma State Bureau of
10 Investigations; amending 74 O.S. 2011, Section
11 150.6a, as last amended by Section 1, Chapter 62,
12 O.S.L. 2015 (74 O.S. Supp. 2018, Section 150.6a),
13 which relates to salaries; removing certain
14 requirements; amending 74 O.S. 2011, Section 150.7,
15 as amended by Section 1, Chapter 136, O.S.L. 2015 (74
16 O.S. Supp. 2018, Section 150.7), which relates to the
17 powers and duties of the Director; amending certain
18 criteria; and providing an effective date.

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

20 SECTION 1. AMENDATORY 74 O.S. 2011, Section 150.6a, as
21 last amended by Section 1, Chapter 62, O.S.L. 2015 (74 O.S. Supp.
22 2018, Section 150.6a), is amended to read as follows:

23 Section 150.6a. ~~The salary of the Deputy Director shall be~~
24 ~~ninety-five percent (95%) of that received by the Director. The~~
 ~~salary of a Division Director shall be ninety percent (90%) of that~~
 ~~received by the Director.~~ Subject to the availability of funds, the

1 annual salaries for Oklahoma State Bureau of Investigation employees
2 shall be in accordance and conformity with ~~the findings of the State~~
3 ~~of Oklahoma Total Remuneration Study of 2013, exclusive of longevity~~
4 ~~pay, as authorized by Section 840-2.18 of this title or the findings~~
5 of state or agency salary, compensation, and remuneration studies or
6 surveys approved by the Human Capital Management Division of the
7 Office of Management and Enterprise Services.

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

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

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

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

20 2. To supervise the maintaining of all reports and records of
21 the Bureau and to promulgate administrative rules concerning the
22 destruction and retention of such records. Such records shall not
23 be transferred to the custody or control of the Archives and Records
24 Commission or be subject to the provisions of Section 590 of Title

1 21 of the Oklahoma Statutes. The Director may, pursuant to adopted
2 and promulgated administrative rule, order destruction of records
3 deemed to be no longer of value to the Bureau, excluding
4 criminalistic and investigative records which shall forever be kept
5 and maintained;

6 3. To report to the Commission at each regular meeting, or as
7 directed by the Commission, the current workload of the Bureau.
8 Such reports shall be submitted by category of the persons or
9 entities authorized to initiate investigations as provided for in
10 subsection A of Section 150.5 of this title, and any other category
11 the Commission may request which does not violate the
12 confidentiality restrictions imposed in Sections 150.1 through 152.9
13 of this title. Such reports shall contain the following
14 information:

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

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

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1 4. To designate positions, appoint employees and fix salaries
2 of the Bureau, other than the salaries established by subsection A
3 of Section 150.6a of this title, and to authorize the payment of
4 necessary certification expenses for the employees;

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

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

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

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5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
6 04/04/2019 - DO PASS.

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