

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED

5 SENATE BILL NO. 828

By: Murdock of the Senate

and

Newton of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to counties and county officers;  
11 amending 19 O.S. 2011, Section 180.65, as amended by  
12 Section 1, Chapter 123, O.S.L. 2012 (19 O.S. Supp.  
13 2020, Section 180.65), which relates to deputies and  
14 other help; removing prohibition for deputy to  
15 receive salary in excess of principal officer;  
16 amending 19 O.S. 2011, Section 180.67, which relates  
17 to county salary code; allowing counties to utilize  
18 state pay structure; and providing an effective date.

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

20 SECTION 1. AMENDATORY 19 O.S. 2011, Section 180.65, as  
21 amended by Section 1, Chapter 123, O.S.L. 2012 (19 O.S. Supp. 2020,  
22 Section 180.65), is amended to read as follows:

23 Section 180.65 A. The officers named in paragraph 1 of Section  
24 180.61 of this title shall have such number of regular or technical  
deputies, assistants, investigators, evidence persons, aides,  
stenographers or reporters, technicians, undersheriffs, jailers,

1 matrons, handwriting and fingerprint experts, probation officers,  
2 juvenile officers, bailiffs, or other help, whatever title the  
3 principal officer may ascribe to the duties or functions to be  
4 performed as authorized by law and clearly related to the proper  
5 accomplishment of lawful functions, whether on whole or part-time  
6 basis, at such rates of salary or pay, subject to the provisions of  
7 this section as hereinafter set forth, as the principal officer may  
8 propose and establish the need of and which the county excise board  
9 may approve, for the adequate accomplishment of the functions of the  
10 office and the performance of the duties imposed thereon by law,  
11 with due weight being given to employment on whole or part-time  
12 basis. However, no such employments shall exceed the amount of  
13 lawful funds appropriated for such purpose.

14 B. Each principal officer named in paragraph 1 of Section  
15 180.61 of this title, except judges, shall designate of record in  
16 the office of the county clerk a first or chief deputy,  
17 undersheriff, or assistant who shall be chargeable with all the  
18 duties of such principal officer, while subject to the direction of  
19 the same. The first or chief deputy, undersheriff, or assistant  
20 shall carry on the duties of the office during the absence of the  
21 principal officer or, in the event of the death, removal or  
22 resignation of said principal officer, until a successor shall have  
23 qualified. During periods of vacancy of the principal office,  
24 resulting from the death, removal or resignation of the principal

1 officer, the chief deputy, undersheriff, or assistant shall be  
2 bonded in the same manner and in the same sum as required for the  
3 principal officer.

4 C. ~~No deputy shall receive a salary in excess of the principal~~  
5 ~~officer.~~ The salaries set forth in this subsection within the  
6 limitations shall be such amounts as the principal officer may  
7 propose and establish the need for and which the county excise board  
8 may approve within salary and staffing requirements as may be  
9 prescribed by law. The numerical rank of any deputy or assistant to  
10 be effective must be by designation of the principal officer by the  
11 signature of the principal officer and filed with the county clerk.  
12 The numerical rank of any deputy or assistant shall be within the  
13 sole discretion of the principal officer.

14 D. The board of county commissioners shall continue to have the  
15 authority to recommend the total amount of funds that can be used  
16 for the combined salaries in each of the county offices covered by  
17 this ~~act~~ title. However, the approval of the funding for such  
18 offices shall continue to be the responsibility of the county excise  
19 board. County officers shall have no authority to make salary  
20 commitments beyond the amount of the funding so provided.

21 E. The county excise board shall meet with each of the  
22 principal officers of the county in budget planning conference or  
23 conferences, before July 1 of each year, to discuss personnel needs  
24 for each office for the succeeding fiscal year. The excise board

1 shall provide the principal officers a tentative estimate of  
2 anticipated revenues for the next fiscal year prior to the budget  
3 planning conferences.

4 SECTION 2. AMENDATORY 19 O.S. 2011, Section 180.67, is  
5 amended to read as follows:

6 Section 180.67 ~~is~~ A. Except as otherwise provided in  
7 subsection B of this section, it is hereby declared to be the intent  
8 of the Legislature that this act shall be the comprehensive salary  
9 code for all counties of the state and no county officer in  
10 paragraph 1 of Section 180.61 of this title, or their assistants,  
11 deputies, or other employees by whatever title designated, shall  
12 receive any salary or wages except as provided in ~~this act~~ Section  
13 180.58 et seq. of this title.

14 B. Counties may opt to utilize the appropriate State of  
15 Oklahoma pay structure in lieu of or in addition to the salary code  
16 referenced in subsection A of this section.

17 SECTION 3. This act shall become effective November 1, 2021.

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