

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 87

By: Sparks

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5  
6 AS INTRODUCED

7 An Act relating to compensation; providing for pay  
8 increase for certain employees; defining term;  
9 prescribing conditions for pay increase; providing  
10 increase applicable to certain persons; providing for  
11 method to implement pay increase for persons on leave  
12 without pay status; providing method to implement pay  
13 increase for certain employees based upon  
14 interruption in service; excluding certain officers  
15 and employees from eligibility for pay increase;  
16 prohibiting expenditure of certain funds for purposes  
17 related to personnel service contracts; providing  
18 exception; providing for noncodification; providing  
19 an effective date; and declaring an emergency.

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

23 SECTION 1. NEW LAW A new section of law not to be  
24 codified in the Oklahoma Statutes reads as follows:

25 A. Effective July 1, 2015, all full-time officers and  
26 employees, including temporary and other limited-term employees of  
27 the state, who were employed by the state on the last working day of  
28 June 2015, shall be awarded an annualized salary increase in the  
29 amount of Three Hundred Dollars (\$300.00) per month.

1 B. As used in this section, "temporary and other limited-term  
2 employees" are those persons who:

- 3 1. Are not permanent employees;
- 4 2. Are not otherwise excluded by this section; and
- 5 3. Are compensated by an agency, board, commission, department  
6 or other employing entity for a limited duration and without any  
7 subjective expectation by either the employer or the employee that  
8 the employment will become permanent.

9 C. Except for those personnel specifically excluded from  
10 eligibility for any increase or advancement in salary pursuant to  
11 this section, the salary increase provided by this section shall be  
12 applicable to:

- 13 1. Employees of county health departments;
- 14 2. Employees of a conservation district; and
- 15 3. Employees of the George Nigh Rehabilitation Institute.

16 D. Employees eligible for the increase provided for in  
17 subsection A of this section who are on leave without pay on July 1,  
18 2015, shall receive an annualized increase, effective upon their  
19 return to work, but shall not receive any increase for a period of  
20 time prior to their return to work.

21 E. Employees who leave the state service before July 1, 2015,  
22 and who are reinstated or reemployed in the state service during  
23 July 2015, without a break in service, who are otherwise eligible  
24 for the pay increase provided for in this section shall be granted

1 such raise effective immediately upon such reinstatement or  
2 reemployment. As used in this subsection, "break in service" is  
3 defined as a period of time in excess of thirty (30) calendar days  
4 between two periods of state employment.

5 F. The following officers and employees shall be ineligible for  
6 a pay increase pursuant to this section and nothing, except as  
7 otherwise provided by Section 840-2.17 of Title 74 of the Oklahoma  
8 Statutes, shall be construed to authorize any increase or  
9 advancement of the salaries of:

10 1. Any elected official;

11 2. Any cabinet secretary whose salary is governed by Section  
12 10.5 of Title 74 of the Oklahoma Statutes;

13 3. Any agency director who is also a cabinet secretary pursuant  
14 to Section 10.3 of Title 74 of the Oklahoma Statutes;

15 4. Any justice or judge whose compensation is set by the Board  
16 on Judicial Compensation pursuant to Section 3.4 of Title 20 of the  
17 Oklahoma Statutes;

18 5. Any district attorney whose salary is governed by Section  
19 215.30 of Title 19 of the Oklahoma Statutes;

20 6. Officers and employees of institutions under the  
21 administrative authority of the Oklahoma State Regents for Higher  
22 Education, except for officers and employees of the George Nigh  
23 Rehabilitation Institute;

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1       7. Persons employed pursuant to Section 2241 of Title 74 of the  
2 Oklahoma Statutes;

3       8. Persons employed pursuant to Section 1.6a of Title 53 of the  
4 Oklahoma Statutes;

5       9. Persons who are employed or under contract pursuant to  
6 subsection B of Section 1419 of Title 10 of the Oklahoma Statutes;

7       10. The Adjutant General and Assistant Adjutants General  
8 pursuant to Section 27 of Title 44 of the Oklahoma Statutes; and

9       11. Employees in those positions listed in the salary schedules  
10 in Section 150.6a of Title 74 of the Oklahoma Statutes.

11       G. No salary increase pursuant to this section shall be made  
12 that exceeds a salary limitation provided in an agency's annual  
13 appropriation bill or salary limits set by statute. Classified  
14 employees eligible for the salary increase provided for in this  
15 section shall receive such increase even though it causes the  
16 employee's salary to exceed the maximum for the employee's pay band.

17       SECTION 2.       NEW LAW       A new section of law not to be  
18 codified in the Oklahoma Statutes reads as follows:

19       No funds appropriated for the purpose of implementing the salary  
20 increase provided in Section 1 of this act shall be expended by any  
21 employing public agency, board, commission or other public employing  
22 entity in order to increase compensation for persons employed by a  
23 private business entity that has entered into a contract with the  
24 public employing entity to provide personnel services or temporary

1 services to the public employing entity in order for the public  
2 employing entity to perform duties imposed upon it by law or  
3 functions which the public employing entity is authorized to perform  
4 by law. The provisions of this section shall not be construed to  
5 prohibit increases in compensation to a vendor performing other  
6 types of services pursuant to a sole source contract or contract  
7 awarded pursuant to the Oklahoma Central Purchasing Act.

8 SECTION 3. This act shall become effective July 1, 2015.

9 SECTION 4. It being immediately necessary for the preservation  
10 of the public peace, health and safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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