

**OKLAHOMA  
BOARD OF CORRECTIONS  
MEETING**

March 28, 2013

Oklahoma Department of Corrections  
Oklahoma City, Oklahoma



# OKLAHOMA BOARD OF CORRECTIONS MEETING

Oklahoma Department of Corrections  
North Conference Room  
3400 N Martin Luther King Ave  
Oklahoma City, Oklahoma  
1:00 p.m., Thursday, March 28, 2013

## AGENDA

Note: Members of the Board of Corrections will be lunching together before the Board meeting. No business will be conducted during this time period.

1. Opening and Roll Call Linda K. Neal, Chair
2. Old Business Linda K. Neal, Chair
3. Approval of February 28, 2013, Board Meeting Minutes Linda K. Neal, Chair
4. Director's Comments Justin Jones, Director
5. Program Update John Otto, Jr., Ph.D.  
Veterinarian Volunteer
  - *"The Dogs of Lexington"* documentary Lee Fairchild, Correctional Case Manager  
Friends For Folks Program Coordinator  
Lexington Assessment & Reception Center
6. Budget Report Greg Sawyer, Chief  
Business Operations  
Steve Burrage, Chair  
Budget Committee
7. Population Report Laura Pitman, Ph.D., Deputy Director  
Institutions, Division I  
Linda K. Neal, Chair  
Population/Private Prisons Committee
8. Legislative Update Neville Massie, Executive Assistant  
Earnest Ware, Chair  
Public Policy/Public Affairs Committee
9. Approval of Board Policy Justin Jones, Director
  - P-010700, Oklahoma Department of Corrections Victim  
Justice Advisory Council
10. Approval of Board Resolution Leo Brown, Coordinator  
Religious and Volunteer Services
  - National Volunteer Appreciation Week (April 21-27, 2013)

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| 11. Committee Reports  | Committee Chairs     |
| ▪ Budget – Chair Steve Burrage, Members Gene Haynes and Hastings Siegfried   |                      |
| ▪ Female Offender – Chair Linda Neal, Members Michael Roach and Earnest Ware   |                      |
| ▪ Public Policy/ Public Affairs – Chair Earnest Ware and Member Kevin Gross  |                      |
| ▪ Population/Private Prisons – Chair Linda Neal, Members Steve Burrage and Michael Roach   |                      |
| ▪ Executive – Chair Linda Neal, Members Earnest Ware and Kevin Gross   |                      |
| 12. New Business (“Any matter not known about or which could not have been reasonably foreseen prior to the time of posting.” 25 O.S. § 311) | Linda K. Neal, Chair |
| 13. Announcements  | Linda K. Neal, Chair |
| 14. Adjournment  | Linda K. Neal, Chair |

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*The next regular meeting of the Board of Corrections is scheduled for April 25, 2013, 1:00 p.m. at Hillside Community Corrections Center, Oklahoma City, OK.*

OKLAHOMA BOARD OF CORRECTIONS  
MISSION STATEMENT

We are a select group of Governor appointed, politically diverse volunteers, which directs, advocates and holds accountable stakeholders to effect best correctional practices.

“Advocating Correctional Excellence”



Approval of Board Meeting Minutes  
February 28, 2013

**OKLAHOMA BOARD OF CORRECTIONS MEETING**  
 Central District Community Corrections  
 1131 W Sheridan Avenue  
 Oklahoma City, Oklahoma

**1. Opening and Roll Call**

**Matthew McBee, Chair**

Chair McBee called the regular meeting of the Oklahoma Board of Corrections (BOC) to order at 1:00 p.m. at Central District Community Corrections on Thursday, February 28, 2013. Chair McBee asked the clerk to call the roll:

Steve Burrage, Member	Present	Michael Roach, Member	Present
Kevin Gross, Member	Present	Earnest Ware, Member	Present
Matthew McBee, Chair	Present	Gerald Wright, Secretary	Present
Linda Neal, Vice Chair	Present		

A quorum was present and the meeting continued. Chair McBee thanked everyone for attending the meeting and also thanked everyone who sent “get well” wishes while he was out ill during the last BOC meeting.

**2. Welcome/Remarks**

**Karen White, District Supervisor**  
**Central District Community Corrections**

Chair McBee recognized and opened the floor to Ms. White. Ms. White greeted the BOC and Director Jones, welcoming them to CDCC. She stated CDCC is a unique district as they only service probation and parole offenders. There are approximately 6,000 offenders in their district, most of which are probationers, followed by parolees and GPS clients. She stated there are seventy-four (74) employees in CDCC, of which fifty are probation and parole officers (PPO). Most of the PPOs are Level III, which is considered the top of the PPO job classification. Ms. White also said her staff are unique, as well, with fifteen having master’s degrees in Criminal Justice, Public Administration, Counseling, Criminology, Forensic Psychology, and Adult Education. Two (2) of CDCC’s supervisors with master’s degrees are working on their second master’s degrees and one (1) PPO is expected to complete their degree in counseling later this year.

Ms. White stated because of the talents of her staff, they specialize in unique caseloads containing high-risk offenders and offenders with various criminogenic needs. Some of the high-risk caseloads they manage or which have specialty officers assigned to them are the sex offenders, parole cases, and GPS cases. Ms. White stated drug court, DUI court, and mental health court are also specially assigned cases where they work with the district court for those individual clients. Ms. White stated the average caseload for PPOs in CDCC is approximately 97 offenders and the average specialized caseload is 68.

CDCC continues to have the Oklahoma County Convergence Project, working with the Oklahoma County District Attorney’s office in diverting high-risk offenders from possible incarceration. Although funds are sometimes limited, they continue to work with this special group diverting them from incarceration. Ms. White stated it has been a money-saving endeavor over the years and it is believed to have saved approximately \$6.3 million. She stated they also have an officer with a Spanish-speaking caseload for those offenders who do not speak English and they have a youthful-offender vocational and technical training caseload with offenders enrolled in Interior Design classes at Francis Tuttle VoTech. Offenders participating in these classes will have employment upon completion and certification. Ms. White stated there is also a Second Chance Grant caseload for offender reentry where the officer works directly with offenders at local community corrections centers prior to release.

Ms. White then stated there are also projects which are considered gender-specific. CDCC works with Division I-Institutions, the District Attorney’s Council and also with the District Attorney’s office on the Female Diversion Project to work with local women to prevent incarceration. Northcare and other service agencies are also utilized to assist with the particular needs of women under supervision. Reemergence of Oklahoma County is also a female-offender project and is a result of HB 2998, sponsored and authored by Representative Kris Steele. The ODOC, United Way, and the Department of Mental Health and Substance Abuse Services work together with the district court to assist women who have special needs, children and possible mental health needs.

Ms. White thanked everyone in attendance and extended special appreciation to the BOC for sponsoring the memorial event today in honor of Officer McCoy. She also thanked the McCoy family for allowing Officer McCoy to be honored in this manner.

No other comments were made and the item was closed.

**3. Old Business**

**Matthew McBee, Chair**

Chair McBee opened the floor for old business. No comments were noted and the item was closed.

**4. Approval of January 17, 2013, Board Meeting Minutes**

**Matthew McBee, Chair**

Chair McBee opened the floor for approval of the minutes from the January 17, 2013, meeting of the Oklahoma Board of Corrections. No comments or questions were raised by the Board regarding the minutes.

**Motion:** Mr. Burrage made a motion to approve the meeting minutes. Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – abstain; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting minutes were approved; no other comments or questions were made and the item was closed.

**5. Renaming/Dedication of Central District**

**Justin Jones, Director**

- *Reading of Governor's Commendation*
- *Approval of Resolution – Renaming of Central District*
- *Unveiling of Memorial*
- *Jeffery McCoy Family Comments*
- *Dignitaries Comments*
- *Reception*

**Gerald W. Wright, Secretary**

**Reginald Hines, Deputy Director, Community Corrections**

**Karen White, District Supervisor, Central District Community Corrections**

**McCoy Family**

**All Who Wish to Speak**

Chair McBee opened the floor to Director Jones for the renaming and dedication of Central District Community Corrections. Director commended Ms. White and all the employees of CDCC for hosting the BOC meeting. He expressed appreciation to the McCoy family for allowing ODOC and the BOC to honor Jeffery McCoy in this manner. Director Jones opened the floor to Mr. Wright for reading of the Governor's Commendation into the minutes:

*Governor's Commendation*

*is hereby presented to*

*Jeffery McCoy Central District Community Corrections*

*in recognition of the dedication ceremony for the renaming of the Central District Community Corrections to "Jeffery McCoy Central District Community Corrections". Jeffery M. McCoy served in the U.S. Navy from 1998 to 2002 and then began his career with the Oklahoma Department of Corrections in 2005 as a Probation and Parole Officer I. He was killed in the line of duty while courageously engaged to protect the public, protect the staff; and protect the offender. As a memorial to the legacy of Officer McCoy, we commemorate the true courage and professionalism that he exemplified while serving the State of Oklahoma.*

*"Heroes are the people who do what has to be done regardless of the consequences" – Unknown Author*

*February 13, 2013*

*Mary Fallin, Governor of Oklahoma*

Director Jones then opened the floor to Mr. Hines for approval of the BOC Resolution renaming CDCC. Mr. Hines greeted the BOC and Director Jones, stating it was his privilege to present the resolution to them for approval. He then read the resolution:

**WHEREAS**, *the Oklahoma Department of Corrections is privileged to have a group of men and women who are trained professionals and who serve valiantly to ensure supervision and accountability of probation and parole offenders in communities across the state of Oklahoma; and*

**WHEREAS**, *Jeffery M. McCoy began his public service with the Oklahoma Department of Corrections on December 19, 2005, as a Probation and Parole Officer I; knowing the dangers associated with conducting office and field contacts with criminal offenders, but accepting the risks; and*

**WHEREAS**, Jeffery M. McCoy was killed in the line of duty on May 18, 2012, while conducting a home visit in Midwest City where he encountered his untimely fate; and

**WHEREAS**, the Board expresses its deepest sympathy to the family and friends of Officer Jeffery M. McCoy and its appreciation for his dedication to public service; and

**WHEREAS**, the sacrifice made by Jeffery M. McCoy will not go unrecognized and will be remembered by future generations to come:

**BE IT THEREFORE RESOLVED** that the Oklahoma Board of Corrections does hereby announce and proclaim to all that Central District Community Corrections will from this day forward be known as the Jeffery M. McCoy Central District.

ADOPTED this 28<sup>th</sup> day of February, 2013.

Chair McBee thanked Mr. Hines and requested a motion to approve.

**Motion:** Mr. Wright made a motion to approve the resolution. Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The resolution was unanimously approved.

Director Jones then requested Ms. White and Ms. Kristie Phillips, Assistant District Supervisor, to step forward for the unveiling of the memorial. Director Jones stated the memorial is a necessity to recognize not only Mr. Jeffery McCoy for his public service to the State of Oklahoma, but is also for the historical presence of the first in-the-line-of-duty killing of a probation and parole officer in Oklahoma. Director Jones then asked Ms. White and Ms. Phillips to reveal the memorial, which will be displayed in Central District. Ms. White and Ms. Phillips removed the ceremonial draping and returned to their seats.

Director Jones then opened the floor to the McCoy family. Ms. Megan McCoy, wife of Officer McCoy, began by thanking the BOC for having them at the ceremony. She thanked ODOC staff and stated the corrections family is their family. She also expressed appreciation for the support from all of the corrections family. Ms. Genese McCoy, mother of Officer McCoy, shared with the BOC that she is a current employee of ODOC and Officer McCoy was a third-generation employee. She stated, “what Officer McCoy did, mattered; what Officer McCoy did, made a difference.” Ms. McCoy stated they are very pleased with the honor being bestowed on her son and they have been amazed with the care and concern expressed by the BOC, Director Jones, District Attorney David Prater, ODOC staff, and the probation and parole family. She stated she did not know if the BOC was aware of the amount of honor they have given to the family with this memorial. Ms. McCoy stated Officer McCoy’s children may not realize the impact of the memorial, but as they grow older, they will understand better the importance of this moment. She closed by again thanking the BOC.

Director Jones then thanked each family member in attendance at the ceremony. Director Jones recognized District Attorney David Prater, present in the audience, and expressed his appreciation for their handling of the loss of Officer McCoy and the support offered by their staff. He also recognized Chief of Midwest City Police Department, Brandon Clabes, who also offered support and staff to assist with Officer McCoy’s death. Director Jones then invited Chief Clabes to the podium.

Chief Clabes began by reading scripture from the Bible and then stated on behalf of the men and women of the Midwest City Police Department, it was an honor to be invited to the ceremony renaming Central District in recognition of Jeffery McCoy. He stated his assistant chief, Sid Porter, was also in attendance with him and he thanked the BOC, Director Jones, and the McCoy family for allowing them to attend and participate. Chief Clabes stated God’s promise in scripture could not be overlooked and elaborated that Jeffery McCoy was a son, a brother, a husband, a father, a coworker and a friend. Chief Clabes also stated he never knew Officer McCoy; however, Officer McCoy has greatly impacted Chief Clabes’ life and also his agency. Chief Clabes stated Officer McCoy’s ultimate sacrifice to the State of Oklahoma stands as a testament to all people who dedicate their lives daily to make everyone safe. As a result, Officer McCoy has many brothers and sisters across the state, as well as the nation, and he will be remembered with great pride. Chief Clabes stated he will never let Officer McCoy’s memory fade and he closed by thanking everyone for upholding his memory as well.

Director Jones then returned the meeting back to Chair McBee for a motion to briefly adjourn the meeting for a small reception. Chair McBee thanked everyone again for attending the dedication in memory of the sacrifice made by the

McCoy family in service to the State. He asked for a motion to take a brief recess for the reception and an opportunity to view the memorial.

**Motion:** Ms. Neal made a motion to recess the meeting. Mr. Wright seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting was recessed at 1:29 p.m. At 1:42 p.m., Chair McBee requested a motion to return to the meeting.

**Motion:** Ms. Neal made a motion to return from the recess. Mr. Roach seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting reconvened at 1:42 p.m. No further comments were made in reference to this item and it was closed.

## 6. Director's Comments

**Justin Jones, Director**

Chair McBee opened the floor to Director Jones for his comments.

- Under Title 61, Construction and Properties Emergency, Lexington Assessment and Reception Center requested an emergency purchase to repair three (3) boilers that went down in February. The boilers are used for heat, cooking, laundry, domestic hot water, etc. Once approved, a vendor was secured to make the necessary repairs and alleviate the emergency situation. The cost of the repairs for all three boilers was estimated to be less than \$10,000.
- On January 29, 2013, a new organization was presented to Mabel Bassett Correctional Center military veterans. Entitled "Battle Buddy," the program matches offenders with an outside veteran who assists with re-entry needs such as veteran benefits.
- Sixteen offenders at MBCC achieved Fall-semester honor rolls at Seminole State College and Rose State College.
- Craig County Emergency Management System installed a mass-notification system that sends a recorded voice message during emergency events to persons registered on their call list. Northeast Oklahoma Correctional Center was added to the local emergency management system to notify citizens of any escapes from the facility. Primary contact numbers and secondary contact numbers are entered into the system where telephone messages are left; the system has the capability to send text messages as well.
- During 2012, Agri-Services produced a total of 1,140,800 pounds of vegetables for use within the department; 2,780,794 pounds of meat products were produced; and 527,883 gallons of milk were provided to facilities. An income of \$180,605.69 was produced through surplus milk sales.
- Representative Charles Ortega and Senator Mike Schultz visited the Oklahoma State Reformatory (OSR) on January 11, 2013. Topics discussed included OSR's mission, staffing challenges, and the need for more competitive salaries. Further discussion included community benefits received from OSR such as staff reinvesting into the community and tax revenue from the sales at the OSR canteen.
- Oklahoma Correctional Industries (OCI) Modular Homes were purchased by the Talihina Health Center, who advised they also plan to purchase three (3) more in the near future.
- Work began on a new project with the Oklahoma History Center for OCI Data Imaging to digitize approximately 1.5 million photos from the Oklahoma Publishing Company.
- The OCI Furniture Factory refurbishing operation at Mack Alford Correctional Center completely repaired and refurbished three upholstered antique wood chairs for the Speaker of the House of Representative's office at the State Capitol.
- Offender Jimmie Welch, JHCC, was found unresponsive in his cell on February 15. He was pronounced deceased by the facility physician shortly thereafter. He had been submitted for a medical parole. This information is being shared as it was an unattended death meaning he was not in a hospital or an ODOC infirmary at the time.
- Anetta Bullock is transferring to Training, effective March 1, and Kimberley Owen will be taking her place as Executive Assistant. Taking Kimberley's place as Administrative Assistant will be Denise Burgdoff, who joins us from the Division of Community Corrections.

- Associate Director Ed Evans is the current president of the Southern States Correctional Association (SSCA), which recently hosted the winter SSCA this past week in Oklahoma City. SSCA conferences are traditionally held in the home state of the current SSCA president. The SSCA summer conference will also be held in Oklahoma City.
- The execution of Steven Thacker is scheduled for March 12, 2013.

Chair McBee then opened the floor for questions or comments. Mr. Gross queried, in reference to the Craig County Emergency Notification system, if notifications like this were being done statewide at all facilities. Director Jones stated this system was a new initiative as far as an automatic system and Craig County contacted the facility requesting to include their notifications on the system. No other comments or questions were raised and the item was closed.

## 7. Budget Report

**Greg Sawyer, Chief  
Departmental Services**

Chair McBee opened the floor to Mr. Sawyer for the ODOC Budget Report as of January 31, 2013. Mr. Sawyer provided the following information:

- Expenditure Summary – Based on seven months of expenditure data a deficit of \$12.1 million exists for fiscal year 2013. This deficit is \$1.0 million smaller than the deficit reported the previous month. The report does not take into account changes in staffing or offender population that may occur through the course of the fiscal year.
- Payroll – The overall funded payroll is 68.9%; this totals 4,059.1 out of 5,894.6 authorized FTE. At the end of January, 3,960.0 positions were filled for a rate of 67.2% with 99.1 FTE under the funded rate. A surplus of \$2.8 million currently exists.
- Contract Beds – Expenditure trends are based on current offender levels as of the end of January. An \$8.5 million deficit exists at this time. Any offender growth during the course of the fiscal year that would require additional contract bed space will increase this deficit.
- Medical and Mental Health Services – Medical and mental health expenditure trends for January reflect a deficit of \$6.4 million exists should current expenditure trends continue.

Mr. Sawyer then opened the floor for questions or comments. No further questions or comments were noted and the item was closed.

## 8. Approval of Title 61 § 130, Emergency Declaration

**Matthew McBee, Chair**

- *Sally-Port Gate Repairs, Mabel Bassett Correctional Center*

Chair McBee stated the BOC, prior to the meeting this date, approved the emergency declaration for the Mabel Bassett Correctional Center sally-port repairs, which exceeded \$35,000. However, the approval needs to be read into the meeting minutes and he requested a motion to approve the purchase.

**Motion:** Mr. Burrage made a motion to approve the emergency repairs. Mr. Ware seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

Director Jones noted the sally-port damage was caused by a private vendor's garbage truck. Due to security issues, the request for emergency repairs was submitted to the BOC once it was determined it would exceed the \$35,000 limit. The insurance company for the vendor is processing the claim and we expect full reimbursement of the costs of repair. No other comments or questions were made and the item was closed.

## 9. Population Update

**Laura Pitman, Ph.D., Deputy Director  
Institutions, Division I**

Chair McBee opened the floor to Dr. Pitman for the ODOC Population Update as of January 31, 2013. Dr. Pitman provided the following information:

Total System Offender Population = 26,352	EMP = 9
DOC Facilities = 18,031	PPCS = 1
Private Prisons = 5,128	Probation Supervision = 21,095
County Jails with Contracts = 642	Parole Supervision Offenders = 3,012
Halfway Houses = 1,202	Total System Population = 50,459
Out Count (jails, hospitals, etc.) = 666	County Jail Backup = 1,535
GPS = 673	

Dr. Pitman stated the entire population, as of January 31, 2013, increased by 871 offenders over last year's count. The majority of the increase is in private prisons, ODOC facilities, and county jail contracts. She also noted the county jail backup was 1,535 on January 31, 2013, but as of February 28, 2013, it is currently 1,847. Chair McBee noted there was an increase in the number of parole recommendations since the last BOC meeting.

Director Jones then stated the spike in county jail backup numbers is indicative of the holiday season and it is not unusual to have small spikes like noticed in the report. He stated ODOC's Population Office is in constant contact with the county sheriffs and working with them to move the offenders into the system as quickly as possible. Director commended Dr. Pitman's staff for their efforts in offender movement.

No further questions or comments were made and the item was closed.

## 10. Legislative Update

**Neville Massie, Executive Assistant**

Chair McBee opened the floor to Ms. Massie for an update on legislative issues. Ms. Massie stated this is a deadline week and there will be significantly fewer bills advancing after this date. The next deadline is March 14, 2013, for the bills to pass from the house of origin. She provided an update on the agency's initiatives:

- HB 1069, relating to substance abuse treatment and requirements, passed the House on February 28, 2013, and is on the way to the Senate.
- SB 162, relating to badge and clothing allowance, passed the Public Safety committee, but was not originally heard by the Senate Appropriations Committee. Senator Clark Jolley agreed to add it to the agenda and it was heard on February 27, 2013. It passed with the understanding that the section on the clothing allowance would be stricken due to the fiscal impact associated with the costs.
- SB 234, relating to private prisons, passed the Senate Public Safety Committee and an agreement was reached to pull the bill with the understanding that the private prison vendor would pull another bill they introduced which would have reduced the time frame to review records of incoming out-of-state offenders from thirty calendar days to thirty business days.

Ms. Massie then highlighted some of the other bills ODOC is monitoring which will affect the agency:

- HB 1056, relating to Conditional Release of Aging Prisoners Act, which originally stated offenders age 50 and older would be eligible for this act was amended to reflect offenders who are age 65 and older would be eligible. It permits the Pardon and Parole Board to grant conditional release to this category of prisoners who also have served at least ten (10) years in prison and pose minimal public safety risks warranting continued incarceration based on an evidence-based risk assessment. Chair McBee queried how many offenders would be affected annually by this bill. Ms. Massie replied initial numbers showed as many as 600 offenders who would meet the criteria. Chair McBee expressed he felt the initial numbers might be too high. Ms. Massie stated one of the questions that arose during discussion of this bill was how much older people in prison are than their chronological age. She stated they also requested how many natural deaths or natural causes of deaths were listed for the fiscal year, which was sixty-four (64), and the average age was fifty-seven (57).
- HB 1722, relating to the parole process, requires commutation applications to be sent to the governor first and must have the support of sentencing officials in the county from where the charges originated; consecutive cases would not be eligible for parole until the offender served one-third of the sentence; medical paroles would require three members' recommendations before docketing; and strikes the current process of having three (3) members recommend parole consideration of an offender outside of the normal process. Ms. Massie stated these changes would lengthen the parole process. Ms. Massie said there was also a similar bill which had been passed in the Senate.
- HB 2019, relating to an employee bonus program for ODOC employees, passed out of House A and B on February 27, 2013. It does not impact longevity or increase the base salary of employees.
- HB 2042, relating to creation of the Oklahoma Public Safety Act of 2013, amends the membership requirements and gives oversight of criminal justice reforms.
- HB 2146, relating to creation of the Public Safety Act of 2013, addresses the correctional officer salary adjustments and pay raises. It has passed Representative Jeff Hickman's subcommittee, as well as House A and B.

- SB 831, relating to transporting loaded or unloaded weapons in a motor vehicle onto state prison parking areas, was amended last week just before being heard. Ms. Massie stated after discussion with Senator Ralph Shortey, he agreed to share ODOC's concerns regarding this policy and placing in statute director's authority over prison facilities.
- SB 1008, relating to creation of the Oklahoma Office of Privatization act, establishes an entity to be the repository of the best privatization and surplus assess sales practices.

Ms. Massie stated this list would be shortened after this date's activities and her update next month would not be as lengthy. Ms. Massie then asked for questions or comments.

Mr. Burrage queried the status of the appropriation supplemental budget request. Ms. Massie responded leadership has been advised ODOC needs confirmation of support, otherwise changes will have to be made in operations to prepare in the event the supplemental is denied. Director Jones further stated none of the supplemental budget requests submitted by state agencies had been entertained at this point. He stated he met with the Appropriations Chair and with the staff of the former Office of State Finance, requesting an approval or denial as quickly as possible. As of this date, no answer has been received.

Mr. Wright stated the Public Policy/Public Affairs Committee met on February 20, 2013, with the Appropriations Chair and Sub-committee Chair for Public Safety in the House. Mr. Wright stated they let everyone they spoke to know the supplemental budget request is the number one priority. He expressed disappointment with the supplemental budget request not being heard during the past week, as he was advised by both chairs it would be placed on a fast track to be heard. Mr. Wright stated he felt like they received a good reception from the House during their meetings, but was unsure of the contact with the governor's office. Mr. Wright also stated Representative Jeff Hickman was receptive and supportive of the needs of ODOC. Mr. Wright also clarified appropriations bills are not subject to the deadlines, with which Ms. Massie agreed. Mr. McBee recommended Mr. Sawyer present, at next month's BOC meeting, a budget picture which includes a supplemental and one excluding the supplemental.

Mr. Wright asked the other committee members if they would like to add any other perceptions to their meetings with legislators. Mr. Gross confirmed the indication received by the Appropriations Chair and Sub-committee chair of the supplemental budget request being moved through quickly; however, he felt there was not an indication given of whether they would approve or deny the request. Mr. Gross also expressed his disappointment with the lack of movement on the budget request. Mr. Ware agreed with Mr. Wright's and Mr. Gross' perceptions and information.

No further comments or questions were made and the item closed.

#### 11. Approval/Confirmation of Appointment

**David Parker, Deputy Director  
Institutions, Division III**

- *Anita Trammell, Warden, Oklahoma State Penitentiary*

Chair McBee opened the floor to Deputy Director Parker for introduction of Ms. Anita Trammell. Deputy Director Parker thanked the BOC for allowing him to present Ms. Trammell for approval as Warden at Oklahoma State Penitentiary (OSP). Deputy Director Parker stated Ms. Trammell will be recognized historically as the first female warden of the Penitentiary once confirmed by the BOC. He then provided her career history with ODOC, highlighting her various positions.

**Motion:** Mr. Wright made a motion to approve the appointment of Anita Trammell as Warden. Ms. Neal seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

Chair McBee congratulated Warden Trammell and opened the floor for her comments. Warden Trammell thanked Chair McBee and stated she felt it was an honor to be approved as warden of OSP. She also stated since being moved to OSP in November, it has been challenging and exciting, all while the facility is going through a transitional period. She stated she enjoys what she is doing and once again thanked the BOC for their approval. Ms. Neal commended Warden Trammell as a woman in a leadership position, especially for the warden position at OSP. Ms. Neal stated this approval exemplifies Warden Trammell's abilities, resourcefulness, and her career choices to take on the challenge of heading OSP. Chair McBee once again congratulated Warden Trammell. No other comments were made and the item was closed.

#### 12. Approval of Resolution

**Gerald W. Wright, Secretary**

- *Retirement of Linda Parrish, Deputy Director, Administrative Services*

Chair McBee opened the floor to Mr. Wright for approval of the resolution for Ms. Linda Parrish. Mr. Wright read the following resolution:

*WHEREAS, the Oklahoma Board of Corrections received with deep regret the news of the well-deserved retirement of Linda Parrish; and*

*WHEREAS, Linda Parrish began working for the Oklahoma Department of Corrections in 1983 after being inherited from the Department of Human Services; beginning her employment in 1976 at the Boley State School for Boys as a typist clerk; promoting to many leadership positions during her 37 years in state service including secretary I, secretary II, executive secretary I, warden's assistant, administrative assistant, facility staffing pattern analyst, personnel manager, human resources manager, administrator of personnel and deputy director of administrative services; and*

*WHEREAS, throughout the career of Linda Parrish, she has been consistently recognized as an exceptional public servant for her compassion toward others, loyalty, initiative, hard work, dependability, competence, professionalism, and commitment to excellence and to the department's mission; and*

*WHEREAS, Linda Parrish was a dedicated correctional professional and an effective member of Executive Staff, who exemplified team work; contributing immensely to the development and the enhancement of departmental policies, procedures, programs, and the overall operations of the Department of Corrections:*

*BE IT THEREFORE RESOLVED that the Oklahoma Board of Corrections does hereby acknowledge the outstanding service of Linda Parrish to the Oklahoma Department of Corrections and state of Oklahoma and extends to her sincere congratulations and best wishes for a satisfying retirement.*

*ADOPTED this 28<sup>th</sup> day of February, 2013.*

Mr. Wright congratulated Ms. Parrish on her retirement and wished her good luck on her future endeavors. The floor was opened for comments by Ms. Parrish. Ms. Parrish thanked everyone and expressed when she began working 37 years ago, she was not thinking about a career and only needed a job at the time. She stated it did not take her long to realize she liked working for the state and although she enjoyed working for the Department of Human Services, she was thankful for the switch to ODOC as there were many opportunities to learn, grow, and promote. Ms. Parrish stated she is looking forward to spending time with her family. She extended thanks to ODOC staff and commended them for their generosity and caring of one another throughout the years. Ms. Parrish then stated she felt Mr. Ed Evans, Associate Director, was a wonderful mentor to her when she became a deputy director and expressed her gratefulness to him. Chair McBee requested a motion on the resolution.

**Motion:** Mr. Wright made a motion to approve the resolution. Mr. Gross seconded the motion. The results of the roll call were: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

No further comments or questions were made and the item was closed.

### 13. Committee Reports

### Committee Chairs

Chair McBee then opened the floor for comments from the Committee Chairs. No comments or reports were made and the item was closed.

### 14. New Business (Any matter not known about or which could not have been reasonably foreseen prior to the time of posting." 25 O.S. § 311)

### Matthew McBee, Chair

Chair McBee opened the floor for any new business. No new business was brought before the Board and the item closed.

### 15. Announcements

### Matthew McBee, Chair

Chair McBee opened the floor for announcements, but nothing was brought before the Board and the item closed.

### 16. A. Consideration of Motion to Adjourn to Executive Session

### Mike Oakley, General Counsel

Pursuant to "Title 25, 307.B" for the following reasons:

1. "Discussion of employment, hiring, appointment, promotion, salary, demotion, discipline, or resignation of any individual salaried public officer or employee."

**[Director's PMP]**

- B. Adjourn to Executive Session
- C. Return from Executive Session
- D. Announcement by the Chair as to the necessity of any Board action, if necessary, as a result of the Executive Session
- E. Vote, if necessary

Chair McBee opened the floor to Mr. Oakley, who recommended adjournment to Executive Session to discuss Director Jones' confidential performance management process (PMP) review.

**Motion:** Ms. Neal made a motion to adjourn to Executive Session. Mr. Wright seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

All were in approval and Chair McBee adjourned to Executive Session at 2:30 p.m. At 3:48 p.m., the Board returned to the meeting room and Mr. Oakley advised a motion to return from Executive Session was needed.

**Motion:** Mr. Gross made a motion to return from Executive Session. Mr. Ware seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

There was nothing to vote on from Executive Session and no other comments or questions were made so the item was closed.

**17. Adjournment**

**Matthew McBee, Chair**

There being no further business to come before the meeting, Chair McBee requested a motion to adjourn the meeting.

**Motion:** Mr. Ware made a motion to adjourn the meeting. Ms. Neal seconded the motion. The results of the roll call were as follows: Mr. Burrage – yes; Mr. Gross – yes; Mr. McBee – yes; Ms. Neal – yes; Mr. Roach – yes; Mr. Ware – yes; Mr. Wright – yes.

The meeting was adjourned at 3:49 p.m.

I hereby certify that these minutes were duly approved by the Board on the 28<sup>th</sup> day of March, 2013, in which a quorum was present and voting.

Approved by:

March 28, 2013

\_\_\_\_\_  
Kevin J. Gross, Secretary of the Board

Submitted by:

\_\_\_\_\_  
Kimberley Owen, Minutes Clerk



**Budget Report**

## **MEMORANDUM**

**March 15, 2013**

**To:**

Matthew H. McBee, Chairman, Board of Corrections  
Linda Neal, Vice Chairman, Board of Corrections  
Ged Wright, Secretary, Board of Corrections  
Earnest D. Ware, Member, Board of Corrections  
Steve Burrage, Member, Board of Corrections  
Kevin Gross, Member, Board of Corrections  
Michael Roach, Member, Board of Corrections  
Justin Jones, Director  
Ed Evans, Associate Director, Field Operations  
Eric Franklin, Deputy Director, Employee Development and  
Offender Services  
Dr. Laura Pitman, Deputy Director of Division I Institutions  
Renee Watkins, Deputy Director of Division II Institutions  
David Parker, Deputy Director of Division III Institutions  
Reginald Hines, Deputy Director, Community Corrections  
Sharon Neumann, Deputy Director, Community Sentencing and  
Information Services  
Tina Hicks, Chief of Administrative Services  
Joyce Jackson, Executive Communications Manager

**From:** Greg Sawyer, Chief of Business Operations

**Subject:** FY 2013 Fiscal Expenditure Trending Report as of 02/28/2013

The report continues to focus on the major expenditure categories that historically represent 80% of all department costs: payroll, contract beds, and offender medical services.

### **Expenditure Summary**

Based on eight months of expenditure data a deficit of \$13.4 million exists for fiscal year 2013. This deficit is \$1.3 million larger than the deficit reported the previous month. The report does not take into account changes in staffing or offender population that may occur through the course of the fiscal year.

### **Payroll**

The overall funded payroll is 68.9%; this totals 4,059.1 out of 5,894.6 authorized FTE. At the end of February, 3,935.3 positions were filled for a rate of 66.8% with 123.9 FTE under the funded rate. A surplus of \$2.2 million currently exists.

**Contract Beds**

Expenditure trends are based on current offender levels as of the end of February. A \$9.4 million deficit exists at this time. Any offender growth during the course of the fiscal year that would require additional contract bed space will increase this deficit.

**Medical and Mental Health Services**

Medical and mental health expenditure trends for February reflect a deficit of \$6.2 million exists should current expenditure trends continue.

- CC Marilyn Anderson, House Fiscal Staff
- Jose Salinas, Senate Fiscal Staff
- Josh Maxey, Office of State Finance
- Neville Massie
- Dr. Don Suttmiller
- Jerry Massie
- Greg Thomas
- Tom James
- Greg Williams
- Ashlee Clemmons
- Ron Wiser
- Chris Kennedy



Population Report

## Population Update

### Population Information as of February 28, 2013

#### Compared to February 29, 2012

Total System Offender Population	Females	Males	Total
Current Population	2,669	23,603	26,272
Population Last Year	2,607	23,001	25,608
Change from last year	62	602	664

DOC Facilities	Females	Males	Total
Current Population	2,150	15,817	17,967
Population Last Year	2,147	15,770	17,917
Change	3	47	50

Private Prisons	Females	Males	Total
Current Population	0	5,105	5,105
Population Last Year	0	4,742	4,742
Change	0	363	363

County Jail Contracts	Females	Males	Total
Current Population	0	638	638
Population Last Year	0	456	456
Change	0	182	182

Halfway Houses	Females	Males	Total
Current Population	285	891	1,176
Population Last Year	243	879	1,122
Change	42	12	54

Out Count	Females	Males	Total
Current Population	56	654	710
Population Last Year	51	610	661
Change	5	44	49

GPS	Females	Males	Total
Current Population	178	484	662
Population Last Year	162	537	699
Change	16	(53)	(37)

EMP	Females	Males	Total
Current Population	0	13	13
Population Last Year	4	7	11
Change	(4)	6	2

PPCS	Females	Males	Total
Current Population	0	1	1
Population Last Year	0	0	0
Change	0	1	1

Probation Supervision	Females	Males	Total
Current Population	4,865	16,076	20,941
Population Last Year	4,862	16,121	20,983
Change	3	(45)	(42)

Parole Supervision	Females	Males	Total
Current Population	479	2,513	2,992
Population Last Year	516	2,663	3,179
Change	(37)	(150)	(187)

Total System Population	Females	Males	Total
Current System Population	8,013	42,192	50,205
Population Last Year	7,985	41,785	49,770
Change	28	407	435

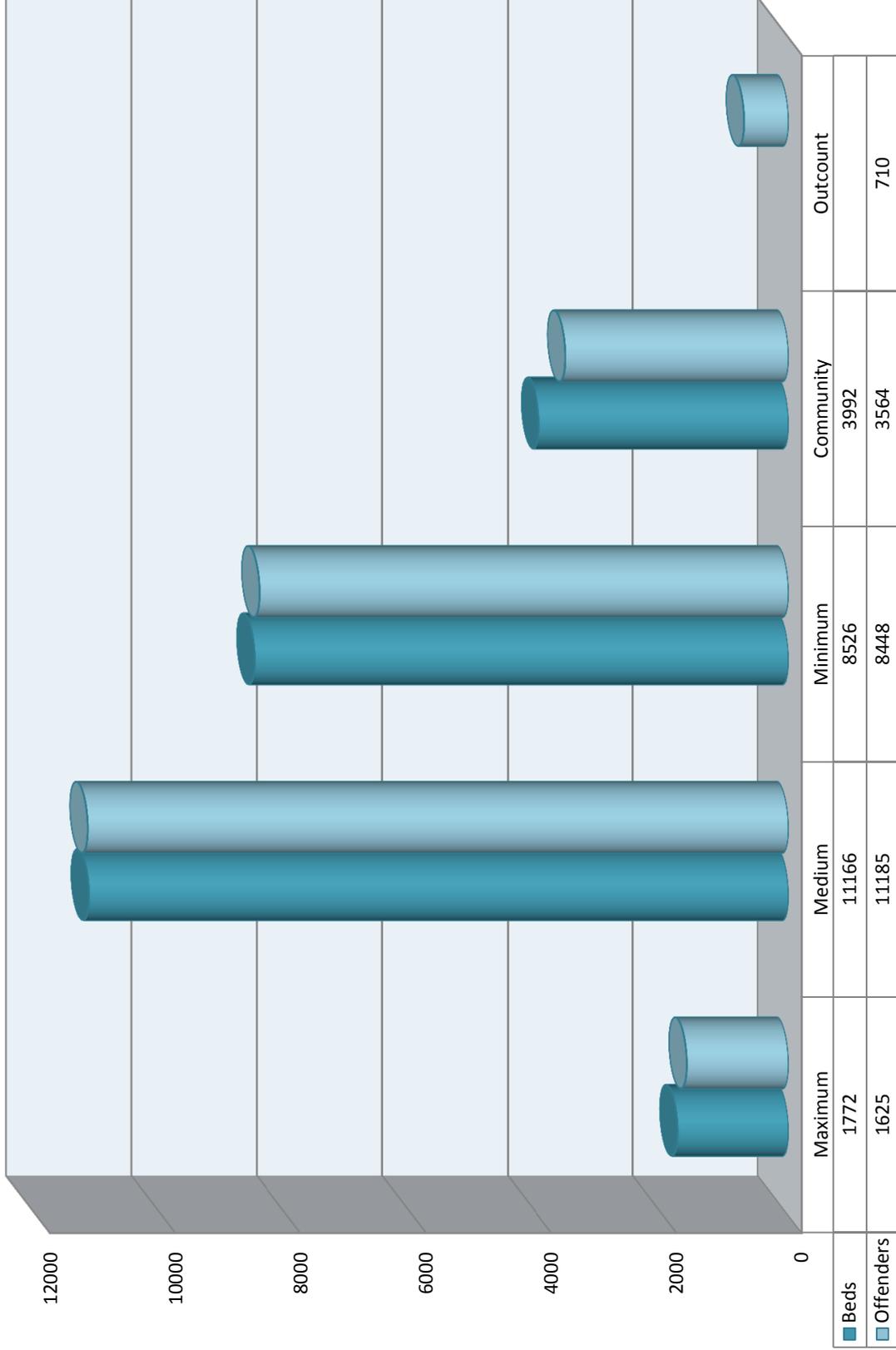
County Jail Inmate Backup	Females	Males	Total
<b>February 28, 2013</b>	141	1,658	1,799
Population Last Year	47	1,361	1,408
Change	94	297	391

Pardon & Parole Board Results	Females	Males	Total
<b>Month: February 2013</b>			
Considered	49	457	506
Denied	22	321	343
Recommended	27	136	163
Percentage Recommended	55.10%	29.76%	32.21%

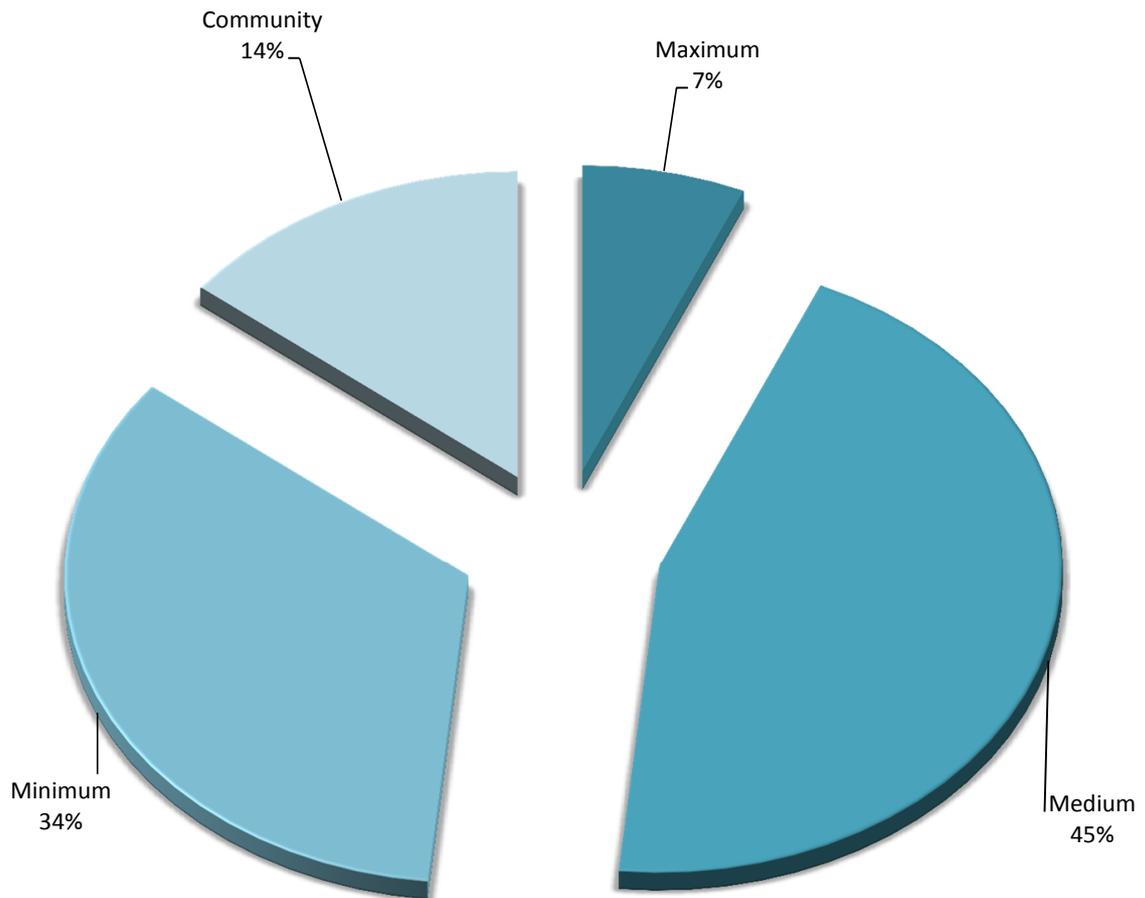
Governor's Actions	Females	Males	Total
<b>Month: February 2013</b>			
Reviewed	11	43	54
Approved	3	21	24
Denied	8	22	30
Percentage Approved	27.27%	48.84%	44.44%

Effective Parole Rate	Females	Males	Total
<b>Month: February</b>			
Percentage Recommended by Board	55.10%	29.76%	32.21%
Percentage Approved by Governor	27.27%	48.84%	44.44%
Effective Parole Rate	15.03%	14.53%	14.32%

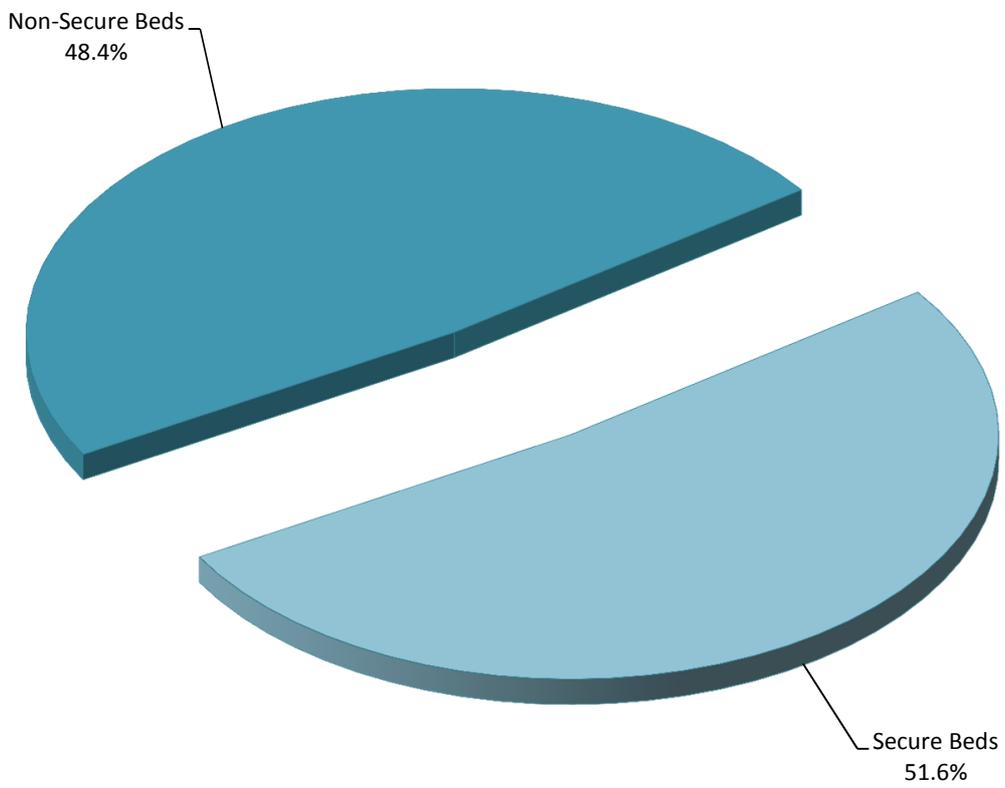
# Offender and Bed Distribution 02/28/2013



## Offender Distribution By Security Level 2/28/2013

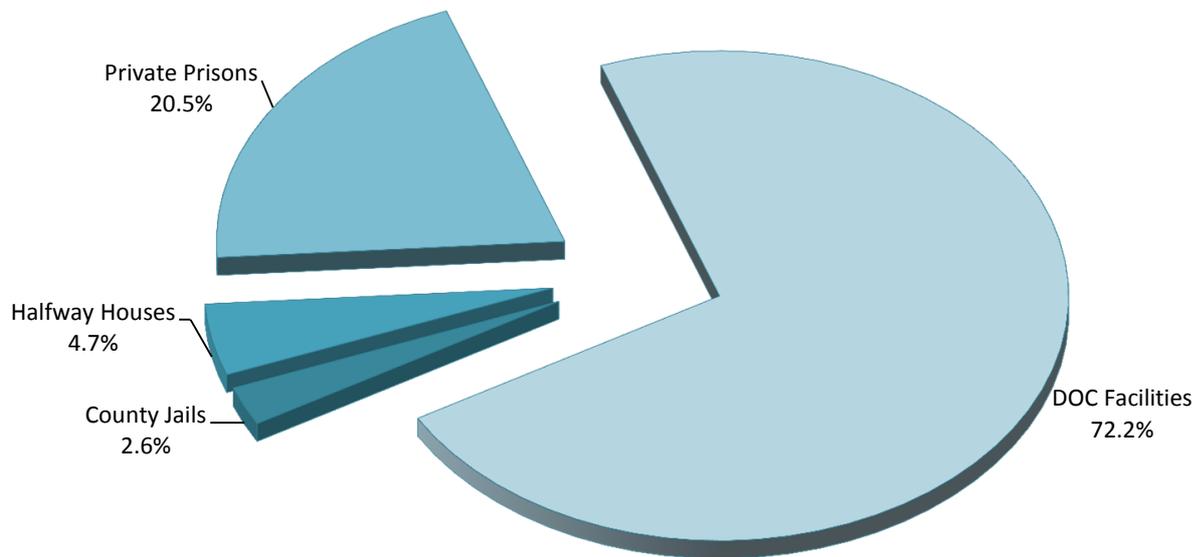


**Percentage Of Offenders In Secure And Non-Secure  
Beds  
2/28/2013**



## Offenders In DOC Facilities v. Contract Facilities

2/28/2013





Legislative Update



## 2013 Session DOC Initiatives

### Bill Portfolio

#### 2 Bills On Report

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**HB1069**  **Paraphrase:** HB1069, by Rep. Lee Denney, R-Cushing and Sen. Josh Brecheen, R-Coalgate, amends language relating to substance abuse treatment and requirements. The bill removes language pertaining to the convicted paying at his or her own expense for treatment and completion of an alcohol and drug substance abuse course or treatment program and for carrying out recommendations made during the evaluation for treatment. The bill mandates that the successful completion of a Department of Corrections approved substance abuse treatment program will satisfy requirements for a ten-hour or twenty-four-hour alcohol and drug substance abuse course, treatment program or both. The measure states successful completion of an approved substance abuse treatment program may precede or follow required assessments. The bill provides that payment will be remitted by the defendant or on behalf of the defendant by a third party provided that no state-appropriated funds are being used. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Denney, Lee (H); Brecheen, Josh (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Public Safety (S)

**Committee(2):** Senate Appropriations (S)

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**SB0162**  **Paraphrase:** SB0162, by Sen. Patrick Anderson, R-Enid and Rep. Lisa J. Billy, R-Purcell, removes the ability of the Director of the Department of Corrections to transfer any prisoner who appears to be mentally ill to a state hospital for care and treatment. It authorizes the Director to award the badge of an employee who loses their life while employed by the Department to the employee's spouse or next of kin. Authorizes an expense allowance of \$100 per month for the maintenance and cleaning of uniforms and other related expenses to be paid to all uniformed correctional officers of the Oklahoma Department of Corrections. (Amended by Senate) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Anderson, Patrick (S); Billy, Lisa J. (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Public Safety (H)

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## 2013 Session DOC Monitored Bills

### Bill Portfolio

82 Bills On Report

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**HB1002**  **Paraphrase:** HB1002, by Rep. Jason Murphey, R-Guthrie and Sen. David Fuller Holt, R-Oklahoma City, creates the Cost Reduction and Savings Act of 2013. The bill states on the first day of October preceding each regular session of the Legislature, each state agency will report to the Director of the Office of Management and Enterprise Services and the Chair and Vice Chair of the Legislative Oversight Committee on State Budget Performance an itemized request showing the amount needed for the ensuing fiscal year beginning with the first day of July. The bill details information to be provided including, but not limited to, a budget analysis and a statement listing on agencies which administer a similar or cooperating program and an outline of interaction with such agencies. The bill allows the appropriated agencies to make an itemized estimate of needs and request for funds and an estimate of the revenues from all sources to be received. The bill allows exemptions as defined. The bill requires the Office of Management and Enterprise Services to evaluate the ten agencies with the lowest rankings of cost-performance assessment. The bill allows the Office of Management and Enterprise Services to enter into contracts that are necessary and proper to carry out the purposes and functions of the State Employee Assistance Program and established standards to be met by entities eligible to contract with OMES. The bill states an internship in the Undergraduate or Senior Undergraduate Internship Program will be eligible for appointment to a position. The states employees who share position identification numbers for a time period of 180 days or more will count in the cumulative total against the statutory limitation of full-time-equivalent employee positions for any agency. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Holt, David Fuller (S)

**Status:** Referred to Subcommittee **Status Date:** 03/20/2013

**Committee(1):** Senate Appropriations, General Gov. & Transportation (S)

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**HB1056**  **Paraphrase:** HB1056, by Rep. Jeannie McDaniel, D-Tulsa and Sen. Harry Coates, R-Seminole, creates the Conditional Release of Aging Prisoners Act. The bill permits the Pardon and Parole Board to grant conditional release to prisoners who are 50 years of age or older, who have served at least 10 years in prison and pose minimal public safety risks warranting continued incarceration

based on an evidence-based risk assessment. The bill establishes procedures for applying for the conditional release. The bill requires the board to adopt rules necessary to implement the legislation. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** McDaniel, Jeannie (H); Coates, Harry (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Rules (S)

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**HB1067**



**Paraphrase:** HB1067, by Rep. Lee Denney, R-Cushing and Sen. A J Griffin, R-Guthrie, amends language relating to crimes and punishments. The bill states that in the prosecution of person 16 or 17 years old for offenses described as prostitution, lewdness, assignation, to solicit induce entice or procure another to commit to such an act with him or herself; to reside in, enter, or remain in any house, place or other structure, vehicle or trailer with the intent of committing an act of prostitution lewdness or assignation; or to aid, abet or participate in doing such acts prohibited as stated above that there will be a presumption that the actor was coerced into committing such named offenses by another person in violation of human trafficking provisions stated in Oklahoma statutes. (Amended by House) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Denney, Lee (H); Griffin, A J (S)

**Status:** S General Order **Status Date:** 03/21/2013

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**HB1068**



**Paraphrase:** HB1068, by Rep. Lee Denney, R-Cushing and Sen. Jim Halligan, R-Stillwater, creates the Postconviction DNA Act. The bill defines biological material, DNA, document and guardian of convicted person. The bill states that a person convicted of a crime who asserts he or she is not guilty of said crime may file a motion requesting forensic DNA testing of any biological material secured in the investigation or prosecution attendant to the challenged conviction. The bill defines who is eligible for testing. The measure proposes that a convicted person may request forensic DNA testing or any biological material secured in the investigation or prosecution that was not previously subjected to DNA testing or if previously subjected to DNA testing, can be subjected to newer testing techniques that provide a reasonable likelihood of results that are more accurate. The measure states that the motion requesting forensic DNA testing will be accompanied by an affidavit. The bill provides that upon receipt of the request for forensic DNA testing, the court will provide a copy of the motion to the attorney representing the state and require the attorney for the state to file a response in 60 days of receipt. The bill allows for a guardian of a convicted person to submit motions for the convicted person under provisions in the act. The measure allows the sentencing court to appoint counsel for an indigent convicted person at any time during proceedings. The measure states that the sentencing court may refer pro se requests for DNA testing to qualified parties willing to accept referrals for further review without appointing the parties as counsel for the convicted person. The bill defines qualified parties as indigent defense

organizations or clinical legal education programs. The bill states that if DNA testing results are favorable to the convicted person then the court will appoint counsel. The measure proposes that after the motion requesting forensic DNA testing and response has been filed, the sentencing court will hold a hearing to determine whether DNA forensic testing will be ordered. The bill defines that a court may order DNA testing only if the court finds a probability that the petitioner would not have been convicted if favorable results had been obtained through DNA testing at the time of original prosecution; if the request for DNA testing is made to demonstrate innocence of the convicted person and the request is not to delay execution of sentence; one of the items of evidence seeks to have tested still exists; evidence to be tested was secured in relation to the challenged conviction and was not previously subject to DNA testing ; or if the chain of custody of the evidence to be tested is sufficient to establish that the evidence has not been substituted, tampered with, replaced or altered and if custody does not establish the integrity of evidence, then testing may establish integrity of evidence. The bill states that evidence in the custody of law enforcement, other government officials or public and private hospital will be presumed to satisfy the chain-of-custody requirement or alteration. The measure proposes that at the end of the hearing, if the court orders DNA forensic testing by written order, than it will require the attorney representing the state to effect the transfer of the items or items of evidence to be tested along with any documents, logs or reports relating to evidence collected within 30 days of the order. The bill includes that the court will order the attorney representing the state to assist the petitioner in locating any evidence that state contends was lost, destroyed on in possession of any other government entity, public or private hospital, lab or other facility. The bill provides that the attorney representing the state or petitioner previously conduct DNA analysis without the knowledge of the other party then such testing will be revealed in the motion requesting forensic DNA testing. The bill allows the court to order DNA testing to be performed but the Oklahoma State Bureau of Investigation or another accredited laboratory. The bill allows the cost of testing by a contracted accredited source to be paid for by the state. The measure states that results of any postconviction DNA testing conducted under provisions in the act will be disclosed to the petitioner, the attorney for the state and the court. The bill requires that is results of testing are favorable to the petitioner than the court will schedule a hearing to determine the relief to be granted. The bill defines results if testing serves the interests of justice. The bill adds that is the results are not favorable to the petitioner than the court may dismiss the motion and make further orders deemed appropriate as defined by the bill. The bill proposes that the filing for postconviction DNA testing will not be required if both the state and the convicted person consent and agree to conduct testing. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013    **Emergency:** No

**Principal Authors:** Denney, Lee (H); Halligan, Jim (S)

**Status:** Second Reading - Referred to Senate Committee    **Status Date:** 03/12/2013

**Committee(1):** Senate Judiciary (S)

**Committee(2):** Senate Appropriations (S)

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**HB1081**    **Paraphrase:** HB1081, by Rep. Mike Sanders, R-Kingfisher and Sen. Bryce Marlatt, R-Woodward, amends language relating to the Public Competitive Bidding Act of 1974 and the change orders to

public construction contracts. The bill provides that when the unit price change of a construction contract does not exceed \$20,000, the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization. The bill states when the unit price change exceeds \$20,000, any unit price for a new item established at or below the average 18 month price history may be used in lieu of cost itemization as required. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sanders, Mike (H); Marlatt, Bryce (S)

**Status:** S General Order **Status Date:** 03/25/2013

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**HB1082**  **Paraphrase:** HB1082, by Rep. Pat Ownbey, R-Ardmore and Sen. Frank Simpson, R-Ardmore, amends language pertaining to driver licenses and expiration. The bill modifies that any Oklahoma driver license that has expired will be considered primary proof of identification for the purposes of renewing an Oklahoma driver license. The bill states that when statutory requirements for reinstatement of a license, the person may apply for a new driver license from the Department. The bill adds that no one will have a property interest in a driver license issued. The measure states that it is the duty of every person whose driving privilege has been suspended, cancelled or revoked to immediately surrender his or her license upon the request of any peace officer or representative of the Department. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Ownbey, Pat (H); Simpson, Frank (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/13/2013

**Committee(1):** Senate Public Safety (S)

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**HB1107**  **Paraphrase:** HB1107, by Rep. Glen Mulready, R-Tulsa and Sen. Josh Brecheen, R-Coalgate, exempts from claims against individual income tax refunds claims for health care or medical services rendered, induced, or otherwise obtained as a result of fraud, breach of contract, error, ineligibility or any illegal or unauthorized means. It also permits the Office of Management and Enterprise Services to intercept monies owing to the state's flexible benefits plan participants from other state agencies, when those participants owe money to the office and to ensure that the participants are afforded due process of law. It permits an active state employee to opt out of the health and dental basic plan options only and retain the life and disability plan benefits. It provides that the disbursement of the flexible benefit allowance for participants on a biweekly payroll system will be credited over 24 pay periods resulting in two pay periods that do not reflect a credit. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Mulready, Glen (H); Brecheen, Josh (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Insurance (S)

**Committee(2):** Senate Appropriations (S)

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**HB1192**  **Paraphrase:** HB1192, by Rep. Scott Martin, R-Norman, Rep. Tom Newell, R-Seminole, Sen. Clark Jolley, R-Edmond, and Sen. Ron Justice, R-Chickasha, makes an appropriation to and sets budgetary limits for the Department of Corrections. (Appropriation Bill) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 09/01/2013 **Emergency:** No

**Principal Authors:** Martin, Scott (H); Newell, Tom (H); Jolley, Clark (S); Justice, Ron (S)

**Status:** Second Reading - Referred to House Committee **Status Date:** 02/05/2013

**Committee(1):** House Appropriations & Budget (H)

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**HB1193**  **Paraphrase:** HB1193, by Rep. Scott Martin, R-Norman, Rep. Tom Newell, R-Seminole, Sen. Clark Jolley, R-Edmond, and Sen. Ron Justice, R-Chickasha, makes an appropriation to and sets budgetary limits for the Department of Corrections. (Appropriation Bill) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 09/01/2013 **Emergency:** No

**Principal Authors:** Martin, Scott (H); Newell, Tom (H); Jolley, Clark (S); Justice, Ron (S)

**Status:** Second Reading - Referred to House Committee **Status Date:** 02/05/2013

**Committee(1):** House Appropriations & Budget (H)

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**HB1211**  **Paraphrase:** HB1211, by Rep. Scott Martin, R-Norman, Rep. Tom Newell, R-Seminole, Sen. Clark Jolley, R-Edmond, and Sen. Ron Justice, R-Chickasha, makes appropriations to various agencies of the executive, legislative and judicial branches. (Appropriation Bill) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** No

**Principal Authors:** Martin, Scott (H); Newell, Tom (H); Jolley, Clark (S); Justice, Ron (S)

**Status:** Second Reading - Referred to House Committee **Status Date:** 02/05/2013

**Committee(1):** House Appropriations & Budget (H)

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**HB1212**  **Paraphrase:** HB1212, by Rep. Scott Martin, R-Norman, Rep. Tom Newell, R-Seminole, Sen. Clark Jolley, R-Edmond, and Sen. Ron Justice, R-Chickasha, makes appropriations to various agencies of the executive, legislative and judicial branches. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** No

**Principal Authors:** Martin, Scott (H); Newell, Tom (H); Jolley, Clark (S); Justice, Ron (S)

**Status:** Second Reading - Referred to House Committee **Status Date:** 02/05/2013

**Committee(1):** House Appropriations & Budget (H)

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**HB1225**  **Paraphrase:** HB1225, by Rep. Scott Martin, R-Norman, Rep. Tom Newell, R-Seminole, Sen. Clark Jolley, R-Edmond, and Sen. Ron Justice, R-Chickasha, permits the chief administrative officer of each state agency to submit to the State Purchasing Director by November 1 of each year a report listing all acquisitions exceeding \$50,000.00 but not exceeding \$100,000.00 of the state agency for the preceding fiscal year in either written or electronic form. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 10/01/2013 **Emergency:** No

**Principal Authors:** Martin, Scott (H); Newell, Tom (H); Jolley, Clark (S); Justice, Ron (S)

**Status:** Second Reading - Referred to House Committee **Status Date:** 02/05/2013

**Committee(1):** House Appropriations & Budget (H)

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**HB1226**  **Paraphrase:** HB1226, by Rep. Scott Martin, R-Norman, Rep. Tom Newell, R-Seminole, Sen. Clark Jolley, R-Edmond, and Sen. Ron Justice, R-Chickasha, permits the chief administrative officer of each state agency to submit to the State Purchasing Director by November 1 of each year a report listing all acquisitions exceeding \$50,000.00 but not exceeding \$100,000.00 of the state agency for the preceding fiscal year in either written or electronic form. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 10/01/2013 **Emergency:** No

**Principal Authors:** Martin, Scott (H); Newell, Tom (H); Jolley, Clark (S); Justice, Ron (S)

**Status:** Second Reading - Referred to House Committee **Status Date:** 02/05/2013

**Committee(1):** House Appropriations & Budget (H)

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**HB1238**  **Paraphrase:** HB1238, by Rep. Donald Condit, D-McAlester and Sen. Josh Brecheen, R-Coalgate, amends language pertaining to state employees. The bill modifies language to be gender neutral. The bill states an unclassified employee may become a candidate for an elected office in a partisan election. The bill modifies that during this time the employee may directly or indirectly solicit contributions or other funds only for the partisan political candidacy of that employee, unless federal law does not allow the employee to become a candidate. The bill mandates that no later than 120 days prior to the first day for filing a declaration of candidacy will the employee contact the appropriate authority to determine whether the candidacy violates federal law, which may be obtained from the Office of Special Counsel, Hatch Act Unit. The bill states that if no probation exists, the unclassified employee may become a candidate for partisan political office. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Condit, Donald (H); Brecheen, Josh (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Rules (S)

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**HB1241**  **Paraphrase:** HB1241, by Rep. Steve Martin, R-Bartlesville and Sen. Mark Allen, R-Spiro, amends language pertaining to crimes and punishments. The bill removes language that any person who willfully and maliciously sets a fire to, burns or destroys any building or structure or contents or causes a person to be burned while manufacturing or attempting to manufacture a controlled dangerous substance then that person will be guilty of arson. The bill adds language to state that if any person sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance, destroys in whole or in part, or causes to be burned or destroyed by aiding, counseling or procuring the burning, whether that property causes a person to be burned, or aids, or counsels then upon conviction, that person will be guilty of arson in the first degree. The bill states the punishment is a fine not to exceed \$25,000 or by imprisonment in custody of the Department of Corrections for no more than 35 days or by both. The measure proposes that any person manufacturing, helping manufacture, attempting to manufacture or endeavoring to manufacture a controlled dangerous substance as defined in Oklahoma Statutes that destroys, causes to be burned or destroys property of person, upon conviction will be guilty of arson in the first degree. The bill states the penalty for such act is a fine of no more than \$25,000 and an imprisonment sentence not to exceed 35 years in the custody of the Department of Corrections. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Martin, Steve (H); Allen, Mark (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Public Safety (S)

**Committee(2):** Senate Appropriations (S)

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**HB1297**  **Paraphrase:** HB1297, by Rep. Ben Sherrer, D-Chouteau and Sen. Thomas Ivester, D-Elk City, clarifies that any person convicted of rape in the first degree, forcible sodomy, lewd molestation or sexual abuse of a child after having been convicted of either rape in the first degree, forcible sodomy, lewd molestation or sexual abuse of a child will be sentenced to life without parole. The measure repeals existing statutes concerning lewd or indecent proposals or acts to children under 16. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sherrer, Ben (H); Ivester, Thomas (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/13/2013

**Committee(1):** Senate Judiciary (S)

**HB1325**  **Paraphrase:** HB1325, by Rep. Randy McDaniel, R-Edmond and Sen. Rick Brinkley, R-Owasso, clarifies the definition of "final average compensation" in language related the Oklahoma Public Employees Retirement System. The measure requires participating employers to provide the System with information relaying the last day physically on the job, the last day on payroll, and the final unused sick leave balance for a retiring member no later than the fifteenth day of the month of retirement and finds that failure to submit this information by the deadline, or errors in submitted information that result in a disqualification of retirement eligibility to be the responsibility of the participating employer and that in cases where the error results in disqualification of retirement eligibility, it is the participating employer's responsibility to reemploy the member, or retain the member on the payroll, for time period required to reach eligibility, not exceeding two months. The measure allows the System to pay any applicable death benefit, unpaid contributions, or unpaid benefit which may be subject to probate, in an amount of \$25,000 or less, without the intervention of the probate court or probate procedure upon the death of a member who dies leaving no living beneficiary or having designated his estate as beneficiary. The bill removes language requiring a statement that the value of the deceased member's entire estate is subject to probate, and that the estate wherever located, less liens and encumbrances, does not exceed \$10,000 be included be given to the system before any applicable probate procedure may be waived. (Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** McDaniel, Randy (H); Brinkley, Rick (S)

**Status:** S General Order **Status Date:** 03/25/2013

**HB1328**  **Paraphrase:** HB1328, by Rep. Scott Biggs, R-Chickasha and Sen. Anthony Sykes, R-Moore, creates the Criminal Procedure Act of 2013. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** No

**Principal Authors:** Biggs, Scott (H); Sykes, Anthony (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Judiciary (S)

**Committee(2):** Senate Appropriations (S)

**HB1340**  **Paraphrase:** HB1340, by Rep. Scott Biggs, R-Chickasha and Sen. Kimberley David, R-Wagoner, adds discharging any firearm or other deadly weapon at or into any dwelling and the unlawful manufacturing, attempting to unlawfully manufacture or aggravated manufacturing of any controlled dangerous substance, or any violation of the Trafficking in Illegal Drugs Act to the definition of offender under the Delayed Sentencing Program for Young Adults. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Biggs, Scott (H); David, Kimberley (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/12/2013

**Committee(1):** Senate Judiciary (S)

**Committee(2):** Senate Appropriations (S)

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**HB1414**  **Paraphrase:** HB1414, by Rep. Elise Hall, R-Oklahoma City and Sen. David Fuller Holt, R-Oklahoma City, repeals statutory language related to the submission of affirmative action plan, the supervision of affirmative action officer, responsibilities of appointing authority and the promulgation of rules and standards for defining progress. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Hall, Elise (H); Holt, David Fuller (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/12/2013

**Committee(1):** Senate Judiciary (S)

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**HB1455**  **Paraphrase:** HB1455, by Rep. Jason Murphey, R-Guthrie and Sen. Greg Treat, R-Oklahoma City, creates the Executive Reform Act of 2013. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Treat, Greg (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate General Government (S)

**Committee(2):** Senate Appropriations (S)

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**HB1462**  **Paraphrase:** HB1462, by Rep. Pat Ownbey, R-Ardmore and Sen. Frank Simpson, R-Ardmore, terminates fingerprint submission requirements for firearms instructors when renewing a firearms instructor's CLEET approval. It gives firearms instructors the option to pay a registration fee of either \$100 for a five-year registration certificate or \$200 for a ten-year registration certificate. It allows firearm instructors or entity that is conducting the course to determine the appropriate fee to charge an applicant. It exempts any person who has been issued a valid handgun license from another state, has established residence in Oklahoma and has been issued an Oklahoma driver license or identification card from all or part of the required training and qualification course established by this title. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Ownbey, Pat (H); Simpson, Frank (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Public Safety (S)

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HB1464



**Paraphrase:** HB1464, by Rep. Jason Murphey, R-Guthrie and Sen. Josh Brecheen, R-Coalgate, creates the Innovation, Efficiency and Reform Act of 2013. The bill states, except as otherwise provide by the Oklahoma Central Purchasing Act, that no state agency will make an acquisition for an amount exceeding \$50,000 or the limit determined by the State Purchasing Director pursuant to Oklahoma statutes not to exceed \$100,000, without the submission of a requisition to the State Purchasing Director and submission of suppliers' competitive bids or proposals to the State Purchasing Director. The bill details rules for any acquisition a state agency makes pursuant to the Oklahoma Central Purchasing Act and for the State Purchasing Director. The bill requires a state agency to submit a requisition to the State Purchasing Direction to send to the Governor, and other legislators with a written analysis. The bill exempts most items considered "emergency," highlighting qualifications in the bill. The bill requires most agencies and state entities to provide and make policies relating to requesting acquisitions. The bill exempts from competitive bidding acquisitions a state agency makes pursuant to a contract the State Purchasing Director enters into or awards and designates for use by state agencies. The bill allows the State Purchasing Director to exempt a procurement of a pre-owned item from the requirements of the bill when in the State Purchasing Director's discretion unusual, time-sensitive or unique circumstances exist which make such exemption in the best interest of the state. The bill creates in the State Treasury a revolving fund for the Office of Management and Enterprise Services to be designated the "Registration of State Vendors Revolving Fund". The bill allows the bill to consist of monies received from fees collected in accordance to the bill and the fund will be used to defray the costs of the Purchasing Division for commodity research, classification, and analysis and expenses the Office incurs to support Purchasing Division operations. The bill allows the Office of Management and Enterprise Services to collect a fee of \$25 to register suppliers. The bill amends reimbursement for overnight lodging, stating that the Director of the Office of Management and Enterprise Services may authorize reimbursement for overnight lodging while in official travel status within the state of a rate up to 150 percent of the amount authorized and claims may be submitted to the Director of the Office of Management and Enterprise Services after meeting guidelines defined in the bill. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Brecheen, Josh (S)

**Status:** Referred to Subcommittee **Status Date:** 03/20/2013

**Committee(1):** Senate Appropriations, General Gov. & Transportation (S)

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HB1465



**Paraphrase:** HB1465, by Rep. Jason Murphey, R-Guthrie and Sen. David Fuller Holt, R-Oklahoma City, requires each state agency to submit a program management and performance report to the Speaker of the Oklahoma House of Representatives, the president Pro Tempore of the Senate and the Director of the Office of Management and Enterprise Services no later than

Jan. 15 of each year. It requires the report to contain, at minimum, detailed data for each agency program relating to each of the evaluation factors set out in Section 45.9 of this title. It also requires the report to list specific cost avoidance and cost containment measures implemented during the previous 12 month period; the agency's methodology for determining fee structure, calculating fees and measuring customer satisfaction; programs or operations not required for core function of the agency; and details showing the actual cost of any programs or operations. It adds that the report shall be developed by the agency in conjunction with a working group of program stakeholders who shall be representative of the various constituencies impacted by the program and allows the agency to form separated work groups for individual programs. The bill requires the agency to solicit applicants by giving public notice of the creation of the group and the process for a person to apply for appointment to the group. It requires the work group to meet at least twice and to be authorized to review agency records and request information related to developing the program management and performance report. The bill also states that if the work group is unable to develop a consensus with the agency or among its members, the program management and performance report shall include a statement outlining the differing conclusions. It allows dissenting members to submit a separate report in the same manner as required for the agency. The bill requires the time, date and location of work group meeting dates to be posted on the agency website and to be open to the public. The bill states that upon receipt of the reports, the Office of Management and Enterprise Services shall cause the reports to be posted on the documents.ok.gov website. It requires the Office to also send a notice of such posting to the Governor, the President Pro Tempore of the Senate and the Speaker of the Oklahoma House of Representatives. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Holt, David Fuller (S)

**Status:** Referred to Subcommittee **Status Date:** 03/20/2013

**Committee(1):** Senate Appropriations, General Gov. & Transportation (S)

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**HB1477**  **Paraphrase:** HB1477, by Rep. Jason Murphey, R-Guthrie and Sen. Kimberley David, R-Wagoner, creates the Executive Reform Act of 2013. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); David, Kimberley (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate Pensions (S)

**Committee(2):** Senate Appropriations (S)

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**HB1478**  **Paraphrase:** HB1478, by Rep. Jason Murphey, R-Guthrie and Sen. Anthony Sykes, R-Moore, creates the Executive Reform Act of 2013. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Sykes, Anthony (S)

**Status:** Referred to Subcommittee **Status Date:** 03/20/2013

**Committee(1):** Senate Appropriations, General Gov. & Transportation (S)

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**HB1513**  **Paraphrase:** HB1513, by Rep. Richard Morrisette, D-Oklahoma City and Sen. John Sparks, D-Norman, requires the State Board of Career and Technology Education to implement programs to provide cedar tree harvesting training for persons in custody of the Department of Corrections who are candidates for work release programs, parole or release, and if feasible, the program may include allowing participations to harvest Eastern Red Cedar trees on private property. The measure requires the State Board of Career and Technology Education to implement programs to provide meat goat management and production training for persons in custody of the Department of Corrections who are candidates for work release programs, parole or release and the Board to work cooperatively with Langston University to develop and implement a training and certification program for meat goat management and production. The bill states implementation of such programs will be contingent upon available funds and it allows the Board to work with partners. (Amended by House, Stricken Title, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Morrisette, Richard (H); Sparks, John (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/19/2013

**Committee(1):** Senate Public Safety (S)

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**HB1516**  **Paraphrase:** HB1516, by Rep. Pam Peterson, R-Tulsa and Sen. Josh Brecheen, R-Coalgate, authorizes the Department of Public Safety to enter into agreements with persons whose license to operate a motor vehicle has been suspended, revoked, cancelled or denied, except as to those suspensions, revocations, cancellations or denials for issuance of a provisional driver license that would allow such persons to drive under one or more of the following circumstances: In the course of employment or occupation of the person, to and from the residence of the person, the work location of the person or to a location where work is sought, alcohol or drug education or treatment program as ordered by the court, probation or parole office, court-ordered community service program, educational institution at which the person is enrolled as a student, a place of regularly occurring medical treatment for a serious condition of the person or a member of the household or immediate family of the person, the school, day care or medical provider of minor children under the care of the person, or court-ordered child visitation, with the condition that such persons pay a minimum of \$25 per month toward the satisfaction of all outstanding driver license reinstatement

fees. The Measure requires the Department to develop rules and procedures to establish such a provisional driver license program and such rules and procedures to include eligibility requirements, proof of insurance, and any provisional driver license fees. The bill requires any violation of law by the person holding the provisional driver license that would result in the suspension or revocation of a driver license, to result in the revocation of the provisional driver license and shall cause the person to be ineligible for future application for a provisional driver license. The measure requires all revocation, suspension, cancellation or denial periods of time of driving privileges as provided in this chapter to be considered served upon successful completion or graduation from an Oklahoma Community Service Sentencing Program created or an Oklahoma Drug Court Program created and administered pursuant to the Oklahoma Drug Court Act and the Department of Mental Health and Substance Abuse Services, unless evidence of drug or alcohol use occurring postgraduation is acquired by the Department of Public Safety. This waiver of time applies only to Class D driving privileges. The measure require electronic notification of successful completion or graduation from an Oklahoma Community Sentencing Program or an Oklahoma Drug Court Program to be provided to the Department of Public Safety by the court clerk in the county where the program is situated. (Amended by House, Amended by Senate, Stricken Title, Stricken enacting clause, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Peterson, Pam (H); Brecheen, Josh (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Public Safety (S)

**Committee(2):** Senate Appropriations (S)

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**HB1717**



**Paraphrase:** HB1717, by Rep. Leslie Osborn, R-Mustang and Sen. Clark Jolley, R-Edmond, states that any entity that does not receive appropriations from the Legislature that is responsible for the licensing of professional persons may receive a salary that is 80 percent to 100 percent of the mean annual wage for the occupation licensed. The bill exempts agency, board, commission and other entities organized within the executive department of state government that receives appropriations. The bill states the legislature finds state employee compensation be made subject of a remuneration study initiated by the Governor during the fiscal year ending June 30, 2013 or June 30, 2014, or both. The bill states each state employee who received a "meets standards" or better rating in performance evaluation will receive a payment equal to \$1,000 or equal the difference and \$500 will be paid specifically by the employing agency, board and other state entities for the fiscal year ending June 30, 2014. The bill states annual salaries for the deputy director, and positions within the Oklahoma State Bureau of Investigation will be in accordance with the salary schedule established by the bill. The bill repeals current statutes addressing the topic. (Amended by House, Stricken Title, Emergency Measure, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Osborn, Leslie (H); Jolley, Clark (S)

**Status:** Committee Reassignment **Status Date:** 03/25/2013

**Committee(1):** Senate Appropriations (S)

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**HB1720**  **Paraphrase:** HB1720, by Rep. Leslie Osborn, R-Mustang and Sen. Greg Treat, R-Oklahoma City, creates the Joint Legislative Committee on Accountability, which is responsible for undertaking a review of executive branch entities and shall perform such duties as the Speaker and the President Pro Tempore may direct. It allows the State Auditor and Inspector to perform an audit of any executive entity of state government upon the recommendation to perform such audit by the Joint Committee on Accountability and provides for the membership of the committee, as long as funds are available. The bill also defines performance audit. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Osborn, Leslie (H); Treat, Greg (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate General Government (S)

**Committee(2):** Senate Appropriations (S)

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**HB1722**  **Paraphrase:** HB1722, by Rep. Leslie Osborn, R-Mustang and Sen. Rob Johnson, R-Kingfisher, directs any consideration for reprieve, commutation, pardon or any other act of clemency to be made only after application is made to the governor, who shall immediately provide a copy of the application to the district attorney and the victim or representative of the victim. It states that upon receipt of an application for commutation, the governor may refer such application to the Pardon and Parole Board for examination and recommendation as provided herein. The bill requires an application for commutation to the governor be accompanied by the written recommendation of two of three trial officials. It indicates a trial official as the current elected judge of the court where the conviction was had, the current elected district attorney of the jurisdiction where the conviction was had, or the current elected sheriff of the county where the conviction occurred or the chief of police in the jurisdiction where the offense occurred. It states that a commutation may not be considered without favorable recommendations from two of the three trial officials. It provides in cases resolved prior to the tenure of the present office-holders, the recommendation of persons holding such offices at the time of conviction may be used to support the recommendation of the present trial officials, if such recommendations are in compliance with the requirements of subsection G of this section. It requires the recommendation for commutation of a sentence by a trial official to include a statement that the penalty now appears to be excessive, a recommendation of a definite term now considered by the official as just and proper, and a statement of the reasons for the recommendation based upon facts directly related to the case which were not available to the court or jury at the time of the trial or there has been a statutory change in penalty for the crime which makes the original penalty appear excessive. It provides in the event the governor has requested the review by the Pardon and Parole Board, the board shall schedule the application on a commutation docket in compliance with the notice requirements set forth herein and where the governor has not elected to seek a recommendation from the board,

the governor shall provide the victim or representative of the victim and the district attorney at least 20 days to offer protests before favorable consideration of the application. It indicates that applications for commutation shall be given impartial review as required in the Oklahoma Constitution and inmates who have been sentenced to death, imprisonment for life without the possibility of parole, convicted of an offense or convicted of other crimes where the legislature has limited parole consideration are eligible for commutation as provided herein, only if all three trial officials have provided favorable written recommendations. It prohibits inmates sentenced to consecutive sentences ineligible for parole consideration on any such consecutive sentence until one-third of the consecutive sentence has been served or where parole has been otherwise limited by law, until the minimum term of incarceration has been served as required by law and unless otherwise ordered by the sentencing court, any credit for jail time served shall be credited to only one offense. It directs the Pardon and Parole Board to consider the prior criminal record of inmates under consideration for parole recommendation or granting of parole and in the event the board grants parole for a nonviolent offender who has previously been convicted of an offense enumerated in Section 13.1 of Title 21 of the Oklahoma Statutes or Section 571 of this title, such offender shall be subject to nine months post-imprisonment supervision upon release. It specifies that no person shall be considered under this section without the concurrence of at least three members of the Pardon and Parole Board and the vote on whether or not to consider such person for parole and the names of the concurring board members must be set forth in the written minutes of the meeting of the board at which the issue is considered. It also specifies no person shall be eligible for consideration for medical parole without the concurrence of at least three members of the Pardon and Parole Board and he vote on whether or not to consider such person for parole and the names of the concurring board members must be set forth in the written minutes of the meeting of the board at which the issue is considered. The bill also repeals statutory language related to eligibility for consideration for parole for persons appearing out of normal processing procedure. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Osborn, Leslie (H); Johnson, Rob (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Judiciary (S)

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**HB1766**  **Paraphrase:** HB1766, by Rep. Justin Wood, R-Shawnee and Sen. A J Griffin, R-Guthrie, amends language relating to prisons. The bill allows an inmate assigned to the Electronic Monitoring Program, within 30 days of being place in a community setting, to report to the court clerk and district attorney from which the judgment and sentence arose. The bill states the meeting will address payment of any fines, costs, restitution and assessments owed by the inmate. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Wood, Justin (H); Griffin, A J (S)

**Status:** S General Order **Status Date:** 03/21/2013

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**HB1794**  **Paraphrase:** HB1794, by Rep. Mike Christian, R-Oklahoma City and Sen. Clark Jolley, R-Edmond, creates the Oklahoma State Government Act of 2013. (Amended by House, Stricken Title, Emergency Measure, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Christian, Mike (H); Jolley, Clark (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Appropriations (S)

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**HB1890**  **Paraphrase:** HB1890, by Rep. Josh Cockroft, R-Tecumseh and Sen. A J Griffin, R-Guthrie, amends language relating to crimes and punishments. The bill states a zone of safety is created around any property designated by a city, town, county or state governmental authority as a park. The bill prohibits a person from loitering within 500 feet of any property designated by a city, town, county or state governmental authority as a park. The bill proposes if the person has been convicted of a crime that requires the persons to register pursuant to the Sex Offender Registration Act or the person has been convicted of an offense in another jurisdiction that would have been punishable as one or more of the offense listed and the victim was a child under the age of 18. (Amended by House, Amended by Senate) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Cockroft, Josh (H); Griffin, A J (S)

**Status:** S General Order **Status Date:** 03/21/2013

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**HB1910**  **Paraphrase:** HB1910, by Rep. T.W. Shannon, R-Lawton, creates the Asset Management Board. The bill states the board will consist of appointees with relevant experience in the asset management in the private sector. The bill defines appointee specifics. The bill allows the board control over the State Building Bonds Commission, The Oklahoma Capitol Improvement Authority; the State Capitol Preservation Commission; the Capitol-Medical Center Improvement and Zoning Commission; the Long Range Capital Planning Commission; and the State Facility Capital Needs Committee. The bill allows the board authority and will undertake to liquidate underutilized assets owned by the entities stated above to pay for the upkeep of other state assets, which include but are not limited to, the State Capitol Building, the State Medical Examiner's Office and the State Cultural Center. The bill allows the Board to use the proceeds from sale of assets under its control for purposes of the expenditures on assets listed. The bill states the board will have authority with respect to real property identified in the annual Oklahoma Real Property Asset Report as published. The bill states the Legislature finds that in order to maximize efficient use of state assets that it may be necessary to identify an appropriate funding source, such as monies derived from the Unclaimed Property Act, in order to accomplish that goal. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** No

**Principal Authors:** Shannon, T.W. (H)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate General Government (S)

**Committee(2):** Senate Appropriations (S)

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**HB1914**  **Paraphrase:** HB1914, by Rep. T.W. Shannon, R-Lawton and Sen. Rob Johnson, R-Kingfisher, creates the Public Agency Fee Moratorium. The bill creates the Public Agency Fee Moratorium Justification and Disclosure Act of 2013. The bill proposes a moratorium on all agencies prohibiting any agency from creating any new fees or increasing any current fees in effect until January 1, 2016. The bill states fees charged by an agency at the time of payment will provide a fee justification statement that discloses and describes in detail to the entity paying the fee the reason for the charge. (Amended by House) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Shannon, T.W. (H); Johnson, Rob (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate General Government (S)

**Committee(2):** Senate Appropriations (S)

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**HB1917**  **Paraphrase:** HB1917, by Rep. T.W. Shannon, R-Lawton and Sen. Brian Bingman, R-Sapulpa, relates to public finance and imposing certain state government entities with respect to reduction of federal appropriations. The bill requires each agency subject to provisions of the Office of State Finance Act to develop a contingency plan and corresponding budget to be prepared for reduction in any applicable federal money of up to 25 percent. The bill requires the contingency plan and corresponding budget to be submitted to the Director of the Office of Management and Enterprise Services, the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Oklahoma State Senate within 30 days from the effective date of this act. The bill requires every entity subject to the requirements of the bill to make an annual disclosure of all federal funds under the control of the entity and the programs for which the federal funds are used by distinct expenditure categories and shall identify the priority or rank of the federal funds in descending order with the funding source the agency relies on to the greatest extent listed first and the funding source the agencies relies on to the least extent listed last. The bill requires every entity subject to the requirements of the bill to make an annual disclosure of the federal funds for which the agency must incur costs to implement and shall provide such information in descending order with the most costly federal funds listed first and the least costly federal funds listed last. (Amended by House, Emergency Measure, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** Yes

**Principal Authors:** Shannon, T.W. (H); Bingman, Brian (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/13/2013

**Committee(1):** Senate Appropriations (S)

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**HB2042**  **Paraphrase:** HB2042, by Rep. Jason Murphey, R-Guthrie and Sen. Rob Johnson, R-Kingfisher, requires, upon the effective date of this act, a Reentry Policy Council shall be created for the purpose of providing oversight of the criminal justice reinvestment initiative policies and the Council to consist of nine members. The bill establishes rules for the Council members' appointment. The BILL requires the Council monitor the administration and implementation of corrections and criminal justice reinvestment initiatives and policies developed and enacted by legislation in 2012, conduct an annual evaluation on the effectiveness and impact of the justice reinvestment initiatives, and provide a copy of the evaluation to the Governor, the Speaker of the Oklahoma House of Representatives, the President Pro Tempore of the Oklahoma State Senate, and the Oklahoma Department of Libraries for placement on the documents.ok.gov website. The BILL requires the staff support to be provided to the Reentry Policy Council by the Office of Management and Enterprise Services. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Johnson, Rob (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Public Safety (S)

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**HB2055**  **Paraphrase:** HB2055, by Rep. Mike Jackson, R-Enid and Sen. Greg Treat, R-Oklahoma City, creates the Repeal of the Administrative Procedures Act. The act repeals the Administrative Procedures Act. (Amended by House, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Jackson, Mike (H); Treat, Greg (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Rules (S)

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**HB2062**  **Paraphrase:** HB2062, by Rep. David Derby, R-Owasso and Sen. Clark Jolley, R-Edmond, updates language related to technology. The bill requires the Chief Information Officer to have authority to designate information technology and telecommunication contracts as statewide contracts and mandatory statewide contracts and to negotiate consolidation contracts, enterprise agreements and high technology systems contracts in lieu of or in conjunction with bidding procedures to reduce acquisition costs. The measure clarifies language related to technology. (Amended by House, Emergency Measure, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Derby, David (H); Jolley, Clark (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate General Government (S)

**Committee(2):** Senate Appropriations (S)

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**HB2066**



**Paraphrase:** HB2066, by Rep. Mike Jackson, R-Enid and Sen. Bryce Marlatt, R-Woodward, states it is the intent of the Legislature to support the control of invasive plants and animal species, to support increased agricultural burning to control noxious weeds and eastern red cedar trees and to encourage county, state and federal government control of eastern red cedar trees on right-of-ways and to diligently address the problem of feral hog eradication by increasing funding to the Oklahoma Department of Agriculture, Food, and Forestry. The bill encourages the Oklahoma Department of Corrections to pursue the processing of feral hogs for use by state correctional facilities and any excess to be made available to any available markets, including food banks. (Amended by House, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Jackson, Mike (H); Marlatt, Bryce (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/13/2013

**Committee(1):** Senate Rules (S)

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**HB2077**



**Paraphrase:** HB2077, by Rep. Randy McDaniel, R-Edmond and Sen. Rick Brinkley, R-Owasso, creates the Sooner Save Special Act. The bill requires effective November 1, 2013, the Oklahoma Public Employees Retirement System establish a defined contribution plan for those persons who become members of the system on or after November 1, 2013, whose first participating service in the System occurs on or after November 1, 2013, and who make the election provided by this section to become participants in the defined contribution plan. The bill authorizes a member eligible to participate in the defined contribution plan to have 90 days from his or her entry date in order to choose between participation in the Oklahoma Public Employees Retirement System or to participate in the defined contribution retirement plan. The bill requires the election to be irrevocable and to govern the participation of the member for all years of service performed. The bill provides that if a member fails to make the election within the time prescribed, the member will become a participant in the defined contribution plan and the member will not accrue any service credit in the Oklahoma Public Employees Retirement System. The bill requires the Board of Trustees of the Oklahoma Public Employees Retirement System to cause the defined contribution plan to be a tax-qualified plan. The bill requires employee contributions to the defined contribution retirement plan to consist of a minimum of 3 percent of compensation and a maximum of 10 percent of compensation. The bill requires except as otherwise provided, employers to make payment of the required matching amount each month and to ensure the payment is credited to the defined contribution plan account as selected by the member. The bill provides that members to at all times be vested at 100 percent of the amount of their employee contributions, and members to be vested with respect to the employer matching amounts deposited into their defined

contribution plan account according to an established schedule. The bill requires a member to be required to have been employed by a participating employer with the Oklahoma Public Employees Retirement System from January 1 of a calendar year until December 15 of a calendar year in order to be eligible for the matching amount. The bill provides that if the member is not employed as of the December 15 date, the member to not receive the matching contribution. The bill requires the Board of Trustees of the Oklahoma Public Employees Retirement System to contract with one or more business entities in order to create a range of choices regarding investment of funds deposited into defined contribution plan accounts and for the investment options to be substantially similar to the options provided to members of the Oklahoma Public Employees Retirement System that maintain a Deferred Savings Incentive Plan account. The bill requires the Oklahoma Public Employees Retirement System to deposit the monies remitted to it by employers having members that participate in the defined contribution plan into the existing defined benefit pension plan in order to reduce the liabilities of the defined benefit pension plan. The bill establishes contribution rates for elected officials. The bill requires statewide elected official or legislator whose first service as an elected official occurs on or after November 1, 2013, to become a participant in the defined contribution plan and for elected official not to accrue any service credit in the defined benefit plan of the Oklahoma Public Employees Retirement System and effective November 1, 2013, an employer to be required to make payment to the Oklahoma Public Employees Retirement System of the amount with respect to any employee who is a participant in the defined contribution plan. The bill requires the employer to be required to make the required matching contribution amount for all employees that participate in the defined contribution plan and to remit the difference between such amount and the amount the employer would otherwise have paid to the Oklahoma Public Employees Retirement System and effective November 1, 2013, an employer to be required to make payment to the Oklahoma Public Employees Retirement System with respect to any employee who is a participant in the defined contribution plan, and the employer to be required to make the required matching contribution amount for all employees that participate in the defined contribution plan and to remit the difference between such amount and the amount the employer would otherwise have paid to the Oklahoma Public Employees Retirement System. The measure requires the initial three-percent employee contribution to be the only mandatory contribution of an employee who selects the defined contribution retirement plan created by this act and the funds to be placed by System in either a 401(a) plan or a 457 plan, to be determined by the Board to maintain the plan consistent with the Internal Revenue Code, any employee contributions eligible to be matched under this section over the three-percent initial contribution, to be considered voluntary deferrals of compensation and placed in a 457 plan and all employer matching funds to be placed in a 401(a) plan. requires except as otherwise provided by this section, employers to make payment of the required matching amount as provided by Section 5 of this act within five business days of the member's payroll pay date and the System to ensure the payment is credited to the defined contribution plan account of the member as soon as possible. The measure requires all employee contributions to the defined contribution plan to be effected by mandatory salary deductions from the salary of the employee and to be remitted by the participating employer to the System for deposit into the defined contribution plan account maintained on behalf of the employee. The measure allows contributions by the member into a 457 plan to not be picked up by the employer, but to be a voluntary deferral of the employee's compensation. The bill allows the Board of Trustees to amend any of its existing contracts with its current service providers to perform substantially the same type of service the provider is currently

performing for the Board, in order to facilitate the timely introduction of the new defined contribution plan created by this act. The measure requires, except as otherwise provided by this section, no alteration, amendment, or repeal of this act to affect the then-existing rights of members and beneficiaries, but to be effective only as to rights which would otherwise accrue hereunder as a result of services rendered by an employee after such alteration, amendment, or repeal and any benefits, fund, property, or rights created by or accruing to any person under the provisions of this act shall not be subject to execution, garnishment or attachment, or any other process or claim whatsoever, and to be unassignable, except as specifically provided by this section. The bill prohibits the provisions of subsection A of this section from applying to a qualified domestic order as provided pursuant to this subsection. The measure requires a qualified domestic order to clearly specify the name and last-known mailing address (if any) of the member and the name and mailing address of the alternate payee covered by the order, the amount or percentage of the member's funds or assets to be paid by the System to the alternate payee, the number of payments or period to which such order applies, the characterization of the benefit as to marital property rights or child support, and each plan to which such order applies. The bill states an alternate payee who has acquired beneficiary rights pursuant to a valid qualified domestic order must fully comply with all provisions of the rules promulgated by the Board pursuant to this subsection in order to continue receiving his or her benefit. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** McDaniel, Randy (H); Brinkley, Rick (S)

**Status:** S Referred to 2nd Committee **Status Date:** 03/25/2013

**Committee(1):** Senate Pensions (S)

**Committee(2):** Senate Appropriations (S)

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**HB2079**  **Paraphrase:** HB2079, by Rep. Randy McDaniel, R-Edmond and Sen. Rick Brinkley, R-Owasso, clarifies language related to the Teachers' Retirement System of Oklahoma. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** McDaniel, Randy (H); Brinkley, Rick (S)

**Status:** S General Order **Status Date:** 03/25/2013

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**HB2166**  **Paraphrase:** HB2166, by Rep. Jon Echols, R-Oklahoma City and Sen. Brian Crain, R-Tulsa, directs an obligor, in the case of indirect contempt for the failure to comply with an order for child support, child support arrears, or other support, to work two eight-hour days per week in a community service program, if the county commissioners of that county have implemented a community service program, if the court finds by a preponderance of the evidence that the obligor is willfully unemployed. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Echols, Jon (H); Crain, Brian (S)

**Status:** S General Order **Status Date:** 03/19/2013

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**HB2194**  **Paraphrase:** HB2194, by Rep. Colby Schwartz, R-Yukon and Sen. Greg Treat, R-Oklahoma City, modifies statutory language related to the Corporation Commission appeals. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Schwartz, Colby (H); Treat, Greg (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/21/2013

**Committee(1):** Senate Energy (S)

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**HB2217**  **Paraphrase:** HB2217, by Rep. David Derby, R-Owasso and Sen. Corey Brooks, R-Washington, adds definition to anhydrous ammonia to mean any substance that exhibits cryogenic evaporative behavior and tests positive for ammonia and provides a definition for drug paraphernalia to mean products and materials of any kind which are used, intended for use, or fashioned specifically for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act. The bill provides a list of items classified as drug paraphernalia. The bill provides additional definitions for hazardous materials, isomer, human growth hormones and synthetic controlled substance. The bill adds several compounds and combinations used to make substances like bath salts to the list of illegal items, specifics include several methamphetamine types and subcategories. It adds that any material, compound, mixture or preparation which contains any quantity of synthetic chemical compounds in the bill that are cannabinoid receptor agonists and mimic pharmacological effects of naturally occurring substances, including all salts, isomers and categories therein. The bill requires individuals listed on a methamphetamines offender registry that is purchasing or otherwise acquiring anything, the person must produce a state issued ID and sign a log approved by the Oklahoma Bureau of Narcotics and Dangerous Drugs Control showing that the person receiving the compound, or other type, is not subject to the Methamphetamine Offender Registry Act. The bill states possession of a drug product containing more than 7.2 grams of ephedrine, pseudoephedrine or phenylpropanolamine, and all connected will constitute a rebuttable presumption of the intent to use the product as a precursor to methamphetamine or another controlled substance. It adds that knowledge that a person was subject to the methamphetamine offender registry may be proven through court testimony or any other public notice or publicly available record including, but not limited to, court records maintained by the Oklahoma Supreme Court Network and the Oklahoma Court Information System. The bill allows the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control to take necessary actions through the use of rules and cooperation of pharmacies and provide persons subject to the methamphetamine offender registry. (Amended by House, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Derby, David (H); Brooks, Corey (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/13/2013

**Committee(1):** Senate Judiciary (S)

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**SB0001**



**Paraphrase:** SB0001, by Sen. Cliff Branan, R-Oklahoma City and Rep. Mike Jackson, R-Enid, prohibits a peace officer from taking a person into custody for disturbing the peace as a result of alcohol intoxication when the officer has contact with the person because they alone or with another person requested emergency medical assistance for an individual who reasonably appeared to be in need of medical assistance due to alcohol consumption and when the person provided their full name and other relevant information requested by the officer, remained at the scene with the individual who appeared in need of medical assistance until that assistance arrived and cooperated with the emergency medical assistance personnel and law enforcement officers at the scene. It grants immunity from prosecution for disturbing the peace to individuals who meet the criteria. It also prohibits a person from initiating or maintaining an action against a peace officer based on the officer's compliance or failure to comply with the law. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Branan, Cliff (S); Jackson, Mike (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0007**



**Paraphrase:** SB0007, by Sen. Mark Allen, R-Spiro and Rep. Jason Murphey, R-Guthrie, modifies requirements for the annual report of the Office of Management and Enterprise Systems concerning state-owned assets. The bill removes the requirement that the report list the 5 percent most underutilized state-owned properties and requires that include an inventory of used and underused state-owned property. The bill adds the requirements that the office assess the potential for transfer of the properties to another state agency or for the properties use by another state agency; describe the impact of the sale to non-governmental entities of state-owned property on local tax rolls; and include a recommendation to sell or transfer unused or underused properties if the OMES director determines the action would be in the best interest of the state. The bill also adds language that permits a legislator in whose district the real property is located, to request the Division of Central Services of the Office of State Finance to dispose of real property under certain conditions. The bill also reduces the value of the property at which three appraisals are required from \$1.0 million to \$500,000. The bill exempts property that is abandoned and in disrepair or vandalized, or located in a flood plain from the appraisal requirement. It also modifies the publication notice requirements, eliminating the one-day minimum and setting a three-day publication requirement and reduces to 75 percent to 90 percent of the appraised value the minimum amount for which the property will be sold that must be included in the notice. The bill prevents OMES from rejecting all bids on property deemed to be a liability. The bill provides that

the first \$30 million resulting from the sale or disposal of property be deposited in the State Capitol Repair Revolving Fund created by the measure. The bill removes the Department of Transportation's exemption from the law. (Amended by Senate, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Allen, Mark (S); Murphey, Jason (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Government Modernization (H)

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**SB0030**  **Paraphrase:** SB0030, by Sen. John Ford, R-Bartlesville and Rep. Skye McNiel, R-Bristow, increases from 13 years to 18 years the age of a victim of certain sex offenses for which the person convicted of perpetrating the offense is required to register under the Sex Offenders Registration Act or the person has been convicted of a similar offense in another jurisdiction is prohibited from loitering within 500 feet of any elementary, junior high or high school, permitted or licensed child care center, playground, or park. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Ford, John (S); McNiel, Skye (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Public Safety (H)

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**SB0097**  **Paraphrase:** SB0097, by Sen. Josh Brecheen, R-Coalgate and Rep. Jason Nelson, R-Oklahoma City, authorizes the Department of Public Safety to enter into agreements with persons whose license to operate a motor vehicle has been suspended or revoked, for issuance of provisional licenses that would allow such persons to drive between their place of residence and their place of employment, between their place of residence and a college, university or technology center, or between their place of residence and any court-ordered treatment program with the condition that such persons pay a minimum of \$25.00 per month toward the satisfaction of all outstanding driver license reinstatement fees. The bill requires the department to develop rules and procedures to establish the provisional driver license program and requires that the rules and procedures include, but not be limited to, eligibility criteria, proof of insurance, proof of enrollment or employment, and any provisional license fees. The bill also provides that any violation of law by the person holding a provisional license that would result in the suspension or revocation of a driver license will result in the revocation of the provisional license and that the licensee will be ineligible for future application for a provisional driver license. (Amended by Senate, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Brecheen, Josh (S); Nelson, Jason (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Appropriations & Budget (H)

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**SB0106**  **Paraphrase:** SB0106, by Sen. Roger Ballenger, D-Okmulgee and Rep. Don Armes, R-Faxon, increases the penalty for violations by persons who knowingly provide false information under the Oklahoma Scrap Metal Dealers Act. The bill increases the penalty from a misdemeanor to a felony and adds an imprisonment in the custody of the Department of Corrections for a term not more than five years, or in the county jail for a term not more than one year, or by a fine not exceeding \$500 or by both such fine and imprisonment. The bill also orders the guilty person to pay restitution to the victim. (Amended by Senate, Stricken Title, Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Ballenger, Roger (S); Armes, Don (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0143**  **Paraphrase:** SB0143, by Sen. Don Barrington, R-Lawton and Rep. Don Armes, R-Faxon, modifies language related to the Board of Tests for Alcohol and Drug Influence. (Amended by Senate, Stricken Title, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Barrington, Don (S); Armes, Don (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Judiciary (H)

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**SB0231**  **Paraphrase:** SB0231, by Sen. Clark Jolley, R-Edmond and Rep. Scott Martin, R-Norman, prohibits the Office of Management and Enterprise Services from transferring or allowing the transfer of monies to or from agencies disbursing funds or accounts without the specific authorization of the Legislature. (Amended by Senate, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Jolley, Clark (S); Martin, Scott (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Appropriations & Budget (H)

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**SB0235**  **Paraphrase:** SB0235, by Sen. Frank Simpson, R-Ardmore and Rep. Tommy Hardin, R-Madill, amends language pertaining to military veterans. The bill defines the word veteran as someone honorably discharged who served in any branch of military or naval service. The measure allows

provisions in the act be available to any disabled person who served during World War II, any State of National Emergency or who is in any military or naval forces of allied nations or nations associated with the US. The bill states such a person must be a US citizen at the time of he or she applies for benefits. The bill modifies language to be gender neutral. It states that the Oklahoma War Veterans Home is under the management and control of the War Veteran Commission of Oklahoma. The bill allows the Commission to make necessary rules, regulations and procedures concerning the operation and management of centers operated by the Oklahoma Department of Veterans Affairs. The measure ensures that the Commission is in compliance with federal and state statues pertaining to long-term care of the facilities. It allows the Commission to appoint veterans center administrators. The bill states that necessary clothes, food, medications, medical care and normal care be provided to every resident, while protecting residents from neglect and abuse. The measure adds that the Commission must provide burial for residents who have no living relatives. (Amended by Senate, Stricken Title, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Simpson, Frank (S); Hardin, Tommy (H)

**Status:** H Committee - Laid Over **Status Date:** 03/25/2013

**Committee(1):** House Veterans & Military Affairs (H)

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**SB0258**  **Paraphrase:** SB0258, by Sen. Brian Bingman, R-Sapulpa and Rep. T.W. Shannon, R-Lawton, requires natural and man-made disasters and emergency plans to be reviewed and updated annually as appropriate by each school, administration building and institution of higher learning, and placed on file at each school district and each local emergency response organization within the district, which may include police, fire, emergency medical services, sheriff and emergency management of the appropriate jurisdiction and the plans to be submitted in a format acceptable to the emergency agency no later than November 1 of each year. (Amended by Senate, Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Bingman, Brian (S); Shannon, T.W. (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Public Safety (H)

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**SB0295**  **Paraphrase:** SB0295, by Sen. Thomas Ivester, D-Elk City and Rep. Jason Murphey, R-Guthrie, amends language pertaining to mental health. The bill adds that the Board of Mental Health and Substance Abuse Services should set rules and standards for certification of private facilities and organizations that provide recovery. The bill provides that only certified facilities in recovery support, treatment and rehabilitation may receive assistance with alcohol and drug dependent persons. The bill adds faith-based, nonresidential recovery programs and residential recovery based-program with a resident capacity of less than twelve as being exempt from the provisions of

the Oklahoma Alcohol and Drug Abuse Services Act. (Amended by Senate) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Ivester, Thomas (S); Murphey, Jason (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Public Health (H)

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**SB0347**  **Paraphrase:** SB0347, by Sen. Roger Ballenger, D-Okmulgee and Rep. Mike Sanders, R-Kingfisher, transfers the authority of all powers, duties, responsibilities, employees, records, administrative rules, and equipment of the State Board of Health, the State Department of Health, and the State Commissioner of Health relating exclusively to the regulation of fire extinguishers to the Office of the State Fire Marshal, as well as all unexpended funds, property, furnishings, equipment, supplies, records, personnel and outstanding financial obligations and encumbrances relating to the designated transfer of the Fire Extinguisher Licensing Act and requires the director of the Office of Management and Enterprise Services to coordinate the transfer of employees, funds, allotments, purchase orders, and outstanding financial obligations and encumbrances relating to the Fire Extinguisher Licensing Act. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Ballenger, Roger (S); Sanders, Mike (H)

**Status:** Committee Reassignment **Status Date:** 03/20/2013

**Committee(1):** House Public Safety (H)

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**SB0398**  **Paraphrase:** SB0398, by Sen. Susan Paddack, D-Ada and Rep. Todd Thomsen, R-Ada, allows any reserve peace officer who has completed the 240-hour reserve peace officer certification program, and has been in active service in that capacity in the past two years, to be eligible to attend a 360-hour basic full-time training academy to become certified as a full-time police or peace officer. The bill requires every law enforcement agency employing police or peace officers in Oklahoma to submit a complete list of all commissioned employees with a current mailing address and phone number to CLEET on or before October 1 of each calendar year. The measure requires any police or peace officer who shows clear and convincing evidence for entry of a final order of protection against applicant or officer be subject to disciplinary action to include a denial, suspension, revocation or acceptance of voluntary surrender of peace officer certification and removes the necessity that a filed complaint with the council for disciplinary proceedings be verified by the complainant. The bill requires all peace officers, reserve peace officers and tribal peace officers to maintain current residential addresses with the council and to notify the council, in writing, of any change of name and within ten days of effect any change of address or telephone number. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Paddack, Susan (S); Thomsen, Todd (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Public Safety (H)

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**SB0440**  **Paraphrase:** SB0440, by Sen. Rob Johnson, R-Kingfisher and Rep. Randy Grau, R-Edmond, clarifies language related to judgments. The bill provides that all parties who have entered an appearance in a lawsuit may agree to vacate or modify a judgment, decree or appealable order if more than 30 days have passed since its filing. The bill also provides that the party that prevails in an action to vacate any judgment, decree or appealable order will only be considered the prevailing party for the purpose of the award of costs, to include a reasonable attorney fee, if such party prevails on the merits in the underlying action. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Johnson, Rob (S); Grau, Randy (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0454**  **Paraphrase:** SB0454, by Sen. John Sparks, D-Norman and Rep. Jon Echols, R-Oklahoma City, provides that the denial of a drug court offender's driver license and driving privilege will be at the discretion of the court. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sparks, John (S); Echols, Jon (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0461**  **Paraphrase:** SB0461, by Sen. David Fuller Holt, R-Oklahoma City and Rep. David Ralph Brumbaugh, R-Broken Arrow, clarifies language related to the Public Competitive Bidding Act of 1974. The measure requires a public agency to not let or award a public construction contract exceeding \$50,000. to any contractor affiliated with a purchasing cooperative unless the purchasing cooperative and the contractor have complied with all of the provisions of the Competitive Bidding Act of 1974, including but not limited to open competitive bidding after solicitation for sealed bids and to not let or award a public construction contract exceeding \$5,000 up to \$50,000 to any contractor affiliated with a purchasing cooperative unless the purchasing cooperative and the contractor have complied with all of the provisions of the Public Competitive Bidding Act of 1974, including submission of a written bid upon notice of competitive bidding. The bill requires a purchasing cooperative and its affiliated contractors to not be allowed to bid on any public construction contract exceeding \$50,000 unless the purchasing cooperative and its affiliated contractors have complied with all of the provisions of the Public Competitive Bidding Act of 1974, including but not limited to open competitive bidding after solicitation for sealed bids and to not be allowed to bid on any public construction contract exceeding \$2,500 unless the purchasing

cooperative and its affiliated contractors have complied with all of the provisions of the Public Competitive Bidding Act of 1974, including submission of a written bid upon notice of open competitive bidding. The bill requires cooperative contracts to not be utilized unless the purchasing cooperative and its affiliated suppliers have complied with all provisions of the Oklahoma Central Purchasing Act. (Amended by Senate, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Holt, David Fuller (S); Brumbaugh, David Ralph (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Government Modernization (H)

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**SB0488**  **Paraphrase:** SB0488, by Sen. Susan Paddack, D-Ada and Rep. Josh Cockroft, R-Tecumseh, creates the Inmate Farm Worker Act, which authorizes the Department of Corrections to develop an inmate farm worker program that provides inmate labor to Oklahoma farms and ranches for purposes of performing farm related labor. It directs the Department of Corrections to develop a program that at minimum provides qualifications for inmates to participate, wages, qualifications of participant farms and ranches and any other provisions the department deems necessary. It also exempts the inmate farm worker program from any provisions of law prohibiting the use of inmate labor for the benefit of private persons. (Amended by Senate, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Paddack, Susan (S); Cockroft, Josh (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Appropriations & Budget (H)

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**SB0536**  **Paraphrase:** SB0536, by Sen. John Sparks, D-Norman and Rep. Lee Denney, R-Cushing, allows a public school to disclose information regarding an employee's job performance to another state agency or another public school that is a prospective employer of the current or former employee without the employee's consent. (Amended by Senate, Stricken Title, Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Sparks, John (S); Denney, Lee (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Common Education (H)

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**SB0596**  **Paraphrase:** SB0596, by Sen. David Fuller Holt, R-Oklahoma City and Rep. Jason Murphey, R-Guthrie, requires the director of the Office of Management and Enterprise Services to develop a

method of accountability for performance and efficiency to be used by state governmental agencies. The bill requires that the accountability method at a minimum determine the actual cost of each agency program, detail the agency's cost-containment and other cost-avoidance measures, assess the cost-effectiveness of each agency program, and include a cost/benefit analysis for each program. The bill prohibits any agency from imposing a fee on public bodies to be effective after June 30, 2014, unless the fee is shown to be necessary by the accountability method adopted by the director. The bill defines certain terms. The bill also prohibits the director from including any funding for any agency program in the budget prepared for the governor that is not justified by the cost/benefit analysis. (Amended by Senate, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Holt, David Fuller (S); Murphey, Jason (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Government Modernization (H)

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**SB0598**  **Paraphrase:** SB0598, by Sen. Greg Treat, R-Oklahoma City and Rep. Jason Murphey, R-Guthrie, modifies statutory references related to the Executive Branch Reform Act of 1986. (Amended by Senate, Committee Substitute, Constitutional Amendment) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** No

**Principal Authors:** Treat, Greg (S); Murphey, Jason (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Rules (H)

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**SB0630**  **Paraphrase:** SB0630, by Sen. Clark Jolley, R-Edmond and Rep. Jason Murphey, R-Guthrie, requires any bid submissions made by a state agency or any political subdivision that substitute an item with one that is alike in quality and design or which meets the required specifications of the bid be considered and not be prohibited. The bill also provides that no sole source bid proposal can require any limitation that materials must be supplied from a vendor within any specific geographical area. The bill permits geographic preference for vendors inside the geographical boundaries but only when the cost is the same or similar. The bill authorizes the Office of Management and Enterprise Services to promulgate rules necessary for the bill's implementation. (Amended by Senate, Stricken Title, Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** Yes

**Principal Authors:** Jolley, Clark (S); Murphey, Jason (H)

**Status:** Subcommittee Do Pass **Status Date:** 03/25/2013

2013 SESSION DOC NUMBERED BILLS

**Committee(1):** House Appropriations & Budget, General Government (H)

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**SB0733**  **Paraphrase:** SB0733, by Sen. Rick Brinkley, R-Owasso and Rep. T.W. Shannon, R-Lawton, updates statutory references relating retirement and the Oklahoma Public Employees Retirement System. (Amended by Senate, Stricken Title, Emergency Measure, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Brinkley, Rick (S); Shannon, T.W. (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Economic Development & Financial Services (H)

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**SB0831**  **Paraphrase:** SB0831, by Sen. Ralph Shortey, R-Oklahoma City and Rep. Jon Echols, R-Oklahoma City, allows citizens 21 years of age or older, except convicted felons, to transport a pistol open, loaded or unloaded, in a motor vehicle for the purpose of self-defense without a valid handgun license issued pursuant to the Oklahoma Self-Defense Act, provided the person is not involved in a crime. It states that a person may leave a concealed, loaded pistol in a parked or unattended, locked vehicle provided the person in legal control of the pistol is at a location other than his or her own personal residence or business. It also prohibits any law enforcement officer from disarming or physically restraining a person carrying an unconcealed weapon in a vehicle when carrying in the absence of reasonable and articulable suspicion of other criminal activity. It also allows any person who is 18 years of age or older and is not a convicted felon to transport in a motor vehicle a rifle, shotgun or pistol, open and loaded, at any time, and such firearm is to remain in open sight while inside the vehicle. The bill removes a \$70 traffic citation fee when a person is transporting a loaded pistol in a motor vehicle without a handgun license. The bill states when an arresting officer determines the citizen is 21 years or older or a valid handgun license exists, any firearms permitted to be carries pursuant to that license will not be confiscated unless certain provisions exist as stated in the bill. (Amended by Senate, Stricken Title, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Shortey, Ralph (S); Echols, Jon (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0889**  **Paraphrase:** SB0889, by Sen. David Fuller Holt, R-Oklahoma City and Rep. Colby Schwartz, R-Yukon, provides that before a level-one offender or a level-two offender can be removed from the registry upon completion of the offender's required registration period, the Department of Corrections sex offender level assignment committee shall make a written determination as to whether the offender has fulfilled the registration requirements imposed by the Sex Offenders Registration Act. It provides, that in making its determination, the sex offender level assignment

committee shall examine the Department of Corrections' records regarding the offender's compliance with the requirements of the Sex Offenders Registration Act and if an offender has fully completed the requirements of the Sex Offenders Registration Act for the required registration period applicable to the person's assigned level, the sex offender level assignment committee shall recommend to the Department of Corrections that the Department remove all information about the person from the public registry of sex offenders maintained by the Department, and the Department shall do so; however, if there is any amount of time during which the offender did not properly fulfill the requirements of the act, the committee may recommend to the Department that the same amount of time during which the offender was not in compliance be added to the offender's time on the registry. It grants the Department of Corrections the authority to override the determinations of the sex offender level assignment committee, but shall produce a written record of the reasons why the committee's determination has been overridden. (Amended by Senate) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Holt, David Fuller (S); Schwartz, Colby (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Public Safety (H)

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**SB0907**



**Paraphrase:** SB0907, by Sen. Greg Treat, R-Oklahoma City and Rep. Leslie Osborn, R-Mustang, creates the Joint Legislative Committee on Accountability and establishes procedures for determining its membership. The bill requires the committee to undertake a review of executive branch entities and perform such duties directed by the Speaker and the President Pro Tempore. The bill also requires the State Auditor and Inspector to conduct or to cause to be conducted a performance audit of any executive entity of state government upon the recommendation to perform such audit by the Joint Legislative Committee on Accountability subject to the availability of funds for such purpose. (Amended by Senate, Stricken Title, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** No

**Principal Authors:** Treat, Greg (S); Osborn, Leslie (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Government Modernization (H)

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**SB0927**



**Paraphrase:** SB0927, by Sen. Greg Treat, R-Oklahoma City and Rep. Tom Newell, R-Seminole, provides that in no event will an employer required to garnish wages, earnings or other income of an employee be personally liable for any debt or obligation of the employee. (Amended by Senate, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Treat, Greg (S); Newell, Tom (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0933**  **Paraphrase:** SB0933, by Sen. Anthony Sykes, R-Moore and Rep. Leslie Osborn, R-Mustang, increases the punishment for any person required to register under the provisions of the Sex Offenders Registration Act who violates any provision of the act from not more than five years in prison to not less than 10 years but not more than 15 years in prison. (Amended by House, Amended by Senate, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Osborn, Leslie (H)

**Status:** H General Order **Status Date:** 03/19/2013

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**SB0977**  **Paraphrase:** SB0977, by Sen. Anthony Sykes, R-Moore and Rep. Leslie Osborn, R-Mustang, amends, merges, consolidates and repeals duplicative sections of law. (Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 07/01/2013 **Emergency:** Yes

**Principal Authors:** Sykes, Anthony (S); Osborn, Leslie (H)

**Status:** H General Order **Status Date:** 03/20/2013

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**SB0984**  **Paraphrase:** SB0984, by Sen. Anthony Sykes, R-Moore and Rep. Scott Biggs, R-Chickasha, provides that a deferred prosecution cannot be offered to a person accused of an offense that would require service of 85 percent of the sentence or an underlying offense which would result in a requirement to register as a sex offender. The bill requires good cause in order for the State of Oklahoma to unilaterally decide to terminate a deferred prosecution agreement and permits the defendant, as a matter of contract, to pursue a civil remedy. The bill removes existing language concerning the State of Oklahoma's obligations if it chooses to terminate an agreement. The bill updates outdated language. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Biggs, Scott (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Judiciary (H)

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**SB0985**  **Paraphrase:** SB0985, by Sen. Anthony Sykes, R-Moore and Rep. Fred Jordan, R-Jenks, modifies the additional assessment allowed for those convicted under the Uniform Controlled Dangerous Substances Act. The bill eliminates language that provided that the amount assessed not exceed 10 percent of the fine imposed and adds language that the additional amount be no less than 10

percent of the fine imposed but not exceed the amount of the fine. (Amended by Senate, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Jordan, Fred (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Appropriations & Budget (H)

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**SB1002**  **Paraphrase:** SB1002, by Sen. Dan Newberry, R-Tulsa and Rep. Katie Henke, R-Tulsa, establishes that a \$10 fee that will be paid to the Department of Corrections and deposited in the Sex Offender Monitoring Revolving Fund upon a conviction for any misdemeanor punishable by imprisonment in any jail and for which no fine is prescribed by law and upon a conviction for any misdemeanor punishable by imprisonment in prison and for which no fine is prescribed by law. (Amended by Senate, Stricken Title, Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** Yes

**Principal Authors:** Newberry, Dan (S); Henke, Katie (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/18/2013

**Committee(1):** House Appropriations & Budget (H)

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**SB1008**  **Paraphrase:** SB1008, by Sen. Greg Treat, R-Oklahoma City and Rep. Randy McDaniel, R-Edmond, creates the Oklahoma Office of Privatization Act. The bill creates the Oklahoma Office of Privatization under the regulatory authority of the Office of Management and Enterprise Services. The bill establishes that the purpose of the Office of Privatization is to establish an entity to be the repository of the best privatization and surplus asset sales practices, as well as having expertise to select projects or services for privatization and designate assets as surplus, be capable of rapid evaluation and response to unsolicited privatization proposals and have the ability to oversee the contracting for privatization opportunities. The bill provides that the Secretary of Finance,, in the capacity of the Director of the Office of Management and Enterprise Services or a successor agency, will organize, with the approval of the governor, a governing board to assist in the functions outlined in the governor's task force recommendations. The bill requires initial appointments to the board be made no later than Sept. 1, 2013. The bill provides that the governor shall determine the number of members and qualifications necessary as the governor deems appropriate. The bill also establishes that the Secretary of Finance, with approval of and on behalf of a majority of the initial members appointed to the board of the Oklahoma Office of Privatization, will be authorized to promulgate rules necessary to implement the provisions of he bill and may report legislative recommendations as the board deems necessary to further implement the provisions of the bill. (Amended by Senate, Stricken Title, Emergency Measure) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** Yes

**Principal Authors:** Treat, Greg (S); McDaniel, Randy (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Economic Development & Financial Services (H)

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**SB1027**



**Paraphrase:** SB1027, by Sen. Anthony Sykes, R-Moore and Rep. James Lockhart, D-Heavener, adds state parks to the definition of "parks." The bill provides that no one may enter a state park or loiter within 500 feet of a state park if the person has been convicted of a crime that requires the person to register pursuant to the Sex Offenders Registration Act or the person has been convicted of an offense in another jurisdiction, which offense if committed or attempted in this state, would have been punishable as one or more of the sexual offenses and the victim was a child under the age of 13 years. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Lockhart, James (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Judiciary (H)

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**SB1036**



**Paraphrase:** SB1036, by Sen. Anthony Sykes, R-Moore and Rep. Scott Biggs, R-Chickasha, clarifies language related the conduct of a separate sentencing proceeding to determine whether the defendant should be sentenced to death, life imprisonment without parole or life imprisonment when the state is seeking the death penalty. The bill provides that upon conviction or adjudication of guilt of a defendant of murder in the first degree, wherein the state is not seeking the death penalty but has alleged that the defendant has prior felony convictions, the court will conduct a separate sentencing proceeding to determine whether the defendant should be sentenced to life imprisonment without parole or life imprisonment, wherein the state will be given the opportunity to prove any prior felony convictions beyond a reasonable doubt. The bill establishes that he proceeding be conducted by the trial judge before the same trial jury as soon as practicable without presentence investigation. The bill also provides that if the trial jury has been waived by the defendant and the state, or if the defendant pleaded guilty or nolo contendere, the sentencing proceeding be conducted before the court. - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Biggs, Scott (H)

**Status:** H On Calendar **Status Date:** 03/20/2013

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**SB1038**



**Paraphrase:** SB1038, by Sen. Anthony Sykes, R-Moore and Rep. Scott Biggs, R-Chickasha, establishes that except as otherwise provided in the Elderly and Incapacitated Victim's Protection Program, in addition to other requirements, the court shall assess a fine equal to the number of months deferred or suspended multiplied by \$40, which shall be payable to the Department of Corrections or the district attorney for any period of the sentence that is deferred or suspended.

(Amended by Senate, Emergency Measure, Committee Substitute) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** // **Emergency:** Yes

**Principal Authors:** Sykes, Anthony (S); Biggs, Scott (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Judiciary (H)

**SB1039**



**Paraphrase:** SB1039, by Sen. Anthony Sykes, R-Moore and Rep. Leslie Osborn, R-Mustang, provides that before any consideration for reprieve, commutation, pardon or any other act of clemency before the Pardon and Parole Board be made only after application is made to the governor. The bill requires that the governor immediately provide a copy of the application to the district attorney and the victim or victim's representative. The bill also permits the governor to refer the application to the Pardon and Parole Board for examination and recommendation upon receipt of an application for commutation. The bill provides requirements for applications for commutations and sets conditions for its consideration. The bill requires the Pardon and Parole Board to schedule the application on a commutation docket in compliance with notice requirements establishes by the bill in the event the governor requests the review by the Pardon and Parole Board. The bill provides where the governor has not elected to seek a recommendation from the board, the governor will provide the victim or victim's representative at least twenty 20 days to offer protests before favorable consideration of the application. The bill requires that applications for commutation be given impartial review as required in Section 10 of Article VI of the Oklahoma Constitution. The bill provides that inmates sentenced to death, life without parole, an offense where the offender is required to serve 85 percent of his or her sentence as required by state statute, or other crimes where the Legislature has limited parole consideration are eligible for commutation, only if all three trial officials have provided favorable written recommendations as required by the bill. The bill also requires upon receipt of an application for pardon, the governor may refer such application to the Pardon and Parole Board for review and recommendation. The bill provides that in the event the governor has requested the review of the Pardon and Parole Board, the board will schedule the application on a commutation docket in compliance with the notice requirements set by the bill. The bill provides where the governor has not elected to seek a recommendation from the Board, the governor will provide the district attorney and the victim or victim's representative at least 20 days to offer protests before favorable consideration to the application. The bill specifies that all meeting of the Pardon and Parole Board comply with the Open Meetings Act. The bill provides that inmates sentenced to consecutive sentences shall not be eligible for parole consideration on any such consecutive sentence until one-third of the consecutive sentence has been served, or, where parole has been otherwise limited by law, until the minimum term of incarceration has been served as required by law. The bill establishes that unless otherwise ordered by the sentencing court, any credit for jail time served shall be credited to only one offense. The bill requires the Pardon and Parole Board to consider the prior criminal record of inmates under consideration for parole recommendation or granting of parole and that in the event the board grants parole for a nonviolent offender who has previously been convicted of certain offenses be subject to nine months post-imprisonment supervision upon release. The bill

provides that any person in the custody of the Department of Corrections who is convicted of certain offenses not designated as a violent offense and who is not a citizen of the U.S. and is or becomes subject of a final order of deportation issued by the United States Department of Justice cannot be considered without the concurrence of at least three members of the Pardon and Parole Board. The bill requires the vote on whether to consider such person for parole and the names of the concurring board members be set forth in the written minutes of the board meeting at which the issue is considered. The bill removes language the provides no person who is appearing out of the normal processing procedure shall be eligible for consideration for parole without the concurrence of at least three members of the Pardon and Parole Board. The bill provides that no person shall be eligible for consideration for medical parole without the concurrence of at least three members of the Pardon and Parole Board and that the vote on whether or not to consider such person for parole and the names of the concurring board members shall be set forth in the written minutes of the Board meeting at which the issue is considered. It also removes language that the statute should not be construed to prevent a hearing by the Pardon and Parole Board before the minimum term has been served. The bill repeals existing language related to persons appearing out of normal Pardon and Parole processing procedure and eligibility for consideration for parole and board votes. (Amended by Senate, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Osborn, Leslie (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/19/2013

**Committee(1):** House Judiciary (H)

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**SB1102**



**Paraphrase:** SB1102, by Sen. Mike Mazzei, R-Tulsa and Rep. Randy McDaniel, R-Edmond, modifies the process of applying for retirement with the Teachers Retirement System to be executing a retirement contract. The bill removes the 90 day limit before the date of retirement that the Teachers Retirement System Board of Trustees can accept a retirement contract. The bill removes outdated language. The bill establishes that the earnings limit for the calendar year in which a member retires will be one-twelfth of the annual limit multiplied by the number of months the member is eligible to work and receive payments from the public schools of Oklahoma. (Amended by Senate, Stricken Title) - © 2013 eCapitol, LLC. All rights reserved.

**Effective Date:** 11/01/2013 **Emergency:** No

**Principal Authors:** Mazzei, Mike (S); McDaniel, Randy (H)

**Status:** Second Reading - Referred to House Committee **Status Date:** 03/14/2013

**Committee(1):** House Economic Development & Financial Services (H)



**Approval of Board Policy**  
P-010700, ODOC Victim Justice Advisory Council

Section-01 Organization	P-010700	Page: 1	Effective Date: 04/05/2013
Victim Justice Advisory Council	ACA Standards: 2-CO-1A-15, 4-4447-1, 4-4461-1		
Linda K. Neal, Chair Oklahoma Board of Corrections _____			
Earnest D. Ware, Vice-Chair Oklahoma Board of Corrections _____			

## Oklahoma Department of Corrections Victim Justice Advisory Council

It is the policy of the Oklahoma Board of Corrections that the Oklahoma Department of Corrections has established a victims' advisory council. This council will serve as a resource to the department's interfacing with victims of crime.

### I. Mission Statement (2-CO-1A-15, 4-4447-1, 4-4461-1)

The mission of the Victim Justice Advisory Council will be to serve as a resource to the department in ensuring operational decisions regarding victim related issues are made with consideration of the needs and perspective of victims.

### II. Council Membership

The department will develop criteria for appointment of council members, ensuring a diverse group of interested individuals are represented, and will develop operational guidelines for the council.

### III. Goals (4-4447-1, 4-4461-1)

The goals of the council are to:

- A. Serve as a resource in the development of the department's strategic plan for supporting victims as they interface with the agency.
- B. Provide information and insight as to the perspective of victims in the ongoing development and operation of the department's Victim Services Unit to include:
  - 1. Victim/offender mediation and dialogue;
  - 2. Victim coordination and support during executions;
  - 3. Victim notification and information;
  - 4. Staff education, awareness and training;
  - 5. Offender education, awareness and training;
  - 6. Restitution advocacy; and

7. Community outreach and education.
- C. Facilitate communication between victims of crime, the department, the community and offenders.

IV. Action

The director is responsible for compliance with this policy.

The director is responsible for the annual review and revisions.

Any exceptions to this policy statement will require prior written approval of the Board of Corrections.

This policy is effective as indicated

Replaced: Policy Statement No. P-010700 entitled "Oklahoma Department of Corrections Victim Justice Advisory Council" dated January 22, 2012

Distribution: Policy and Operations Manuals  
Department Website



**Approval of Board Resolution**  
National Volunteer Appreciation Week  
(April 21-27, 2013)

Oklahoma Board of Corrections

# Resolution

**WHEREAS**, millions of volunteers work in their communities across our nation and throughout our state utilizing their time and their talents daily to make a difference in the lives of others; and

**WHEREAS**, the Oklahoma Department of Corrections is privileged to have thousands of men and women, many of whom serve as part of a faith community, who tirelessly give of themselves to provide much needed programmatic and occupational services in facilities, districts and units across the great state of Oklahoma; and

**WHEREAS**, these volunteers are dedicated to serving as positive role models for the offender population, leading offenders toward pro-social behavior while incarcerated, supporting offenders in reentry, and providing much needed resources that assist the Oklahoma Department of Corrections in fulfilling its mission in a professional manner; and

**WHEREAS**, April 21-27, 2013, is National Volunteer Week and provides a most appropriate time to recognize these volunteers for demonstrating, on a daily basis, the true spirit of giving;

**BE IT THEREFORE RESOLVED** that the Oklahoma Board of Corrections does hereby announce and proclaim to all its recognition and sincere appreciation of Oklahoma Department of Corrections volunteers and the invaluable services they provide.

**ADOPTED** this 28<sup>th</sup> day of March, 2013.

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Linda K. Neal, Chair

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Earnest D. Ware, Vice Chair

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Kevin J. Gross, Secretary

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Steve Burrage, Member

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Ernest E. Haynes, Member

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Michael W. Roach, Member

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T. Hastings Siegfried, Member