

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 29

By: Shaw

AS INTRODUCED

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

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

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

Section 150.6a. ~~The salary of the Deputy Director shall be ninety five percent (95%) of that received by the Director. The salary of a Division Director shall be ninety percent (90%) of that received by the Director.~~ Subject to the availability of funds, the annual salaries for Oklahoma State Bureau of Investigation employees shall be in accordance and conformity with ~~the findings of the State of Oklahoma Total Remuneration Study of 2013, exclusive of longevity~~

1 ~~pay, as authorized by Section 840-2.18 of this title or the findings~~
2 of state or agency salary, compensation, and remuneration studies or
3 surveys approved by the Human Capital Management Division of the
4 Office of Management and Enterprise Services.

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

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

11 Section 150.7. The Director of the Oklahoma State Bureau of
12 Investigation shall have the following powers, duties and
13 responsibilities:

14 1. To appoint or dismiss a Deputy Director ~~who shall have the~~
15 ~~same qualifications as the Director~~ to assist in the administration
16 of the Agency;

17 2. To supervise the maintaining of all reports and records of
18 the Bureau and to promulgate administrative rules concerning the
19 destruction and retention of such records. Such records shall not
20 be transferred to the custody or control of the Archives and Records
21 Commission or be subject to the provisions of Section 590 of Title
22 21 of the Oklahoma Statutes. The Director may, pursuant to adopted
23 and promulgated administrative rule, order destruction of records
24 deemed to be no longer of value to the Bureau, excluding

1 criminalistic and investigative records which shall forever be kept
2 and maintained;

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

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

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

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

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

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

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