An Act

ENROLLED SENATE
BILL NO. 1927

By: Newberry of the Senate

and

Peters of the House

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-214, as amended by Section 2, Chapter 279, O.S.L. 2006 (63 O.S. Supp. 2009, Section 1-214), which relates to city-county health departments; clarifying language; authorizing city-county health departments to own, acquire, lease, or dispose of real property; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-214, as amended by Section 2, Chapter 279, O.S.L. 2006 (63 O.S. Supp. 2009, Section 1-214), is amended to read as follows:

Section 1-214. A. The board of county commissioners of any county and the governing body of any city which qualify under Section 1-210 of this title shall enter into an agreement providing for the creation of a city-county health department, and such contracting bodies shall by agreement provide for the method of operation thereof, the selection of a director of such department, and the proportionate share of personnel and/or money that each shall contribute for the operation and support of such department.

B. Unless ~~such~~ an agreement made pursuant to subsection A of this section specifically provides otherwise, any judgment against the city-county health department or the city-county board of health

shall be treated as a judgment against the county and may be paid from a sinking fund established pursuant to Section 28 of Article X of the Oklahoma Constitution in the manner that other judgments against the county are paid.

~~B.~~ C. Unless an agreement made pursuant to subsection A of this section specifically provides otherwise, a city-county health department shall have the power to own, acquire, lease, or dispose of real property in the performance of local public health functions, duties, and responsibilities.

D. The qualifications of the director shall be determined by the city-county board of health, with the advice of the State Commissioner of Health, and subject to approval by the governing body of the city and the board of county commissioners of the county. The director, with the approval of the city-county board of health, the board of county commissioners of the county, and the governing body of the city, or the city manager in cities having a managerial form of government, shall appoint other personnel of the department.

~~C.~~ E. The employees of a city-county health department shall possess minimum qualifications as set forth in a system of personnel administration delineating job specifications and a compensation plan adopted by the city-county board of health, and approved by the State Commissioner of Health, the board of county commissioners and the governing body of the city. By March 1, 1991, the city-county health department shall establish a personnel, merit and promotion system which shall be approved by the Commissioner of Public Health. The employees shall also be eligible for membership in any life or health insurance plan of the county and the county retirement program, subject to the same conditions or restrictions that apply to county employees. Any state employees officed or located at or assigned to a city-county health department shall be subject to the state system of personnel administration and shall be eligible for membership in the state employees insurance and retirement programs.

~~D.~~ F. Such city-county health department shall, under the supervision of the director, enforce and administer all municipal and county ordinances, rules and regulations, and all state laws, and rules and regulations of the State Board of Health pertaining to

public health matters in the jurisdiction where it is created, or in any area where it has jurisdiction to operate by agreement.

SECTION 2. This act shall become effective November 1, 2010.

Passed the Senate the 28th day of April, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 12th day of April, 2010.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 29th **day of** April, **20**10, **at** 1:30 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 4th **day of** May, **20**10, **at** 3:18 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 5th **day of** May, **20**10, **at** 11:18 **o'clock** A **M.**

By: