

An Act

ENROLLED HOUSE
BILL NO. 1038

By: Walke of the House

and

Simpson of the Senate

An Act relating to courts; amending 20 O.S. 2011, Sections 1227, as last amended by Section 1, Chapter 12, O.S.L. 2017, 1310.1, as last amended by Section 5, Chapter 354, O.S.L. 2019, 1310.2, as last amended by Section 3, Chapter 12, O.S.L. 2017 and 1310.3, as last amended by Section 4, Chapter 12, O.S.L. 2017 (20 O.S. Supp. 2019, Sections 1227, 1310.1, 1310.2 and 1310.3), which relate to the Law Library Revolving Fund, Supreme Court Revolving Fund, State Judicial Revolving Fund and Supreme Court Administrative Revolving Fund; extending date for transfer of monies; updating statutory language; and declaring an emergency.

SUBJECT: Judicial funds

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

SECTION 1. AMENDATORY 20 O.S. 2011, Section 1227, as last amended by Section 1, Chapter 12, O.S.L. 2017 (20 O.S. Supp. 2019, Section 1227), is amended to read as follows:

Section 1227. A. There is hereby created in the State Treasury a revolving fund for the Supreme Court to be designated the "Law Library Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies collected by the clerks of the district court for law libraries as prescribed by law, the sales of any law library books or equipment, charges for services, gifts, grants, private donations, and federal funding. All monies accruing to the credit of the fund are hereby

appropriated and may be budgeted and expended by the Supreme Court upon approval of the Chief Justice for:

1. The payment of charges due and owing by county law libraries at the time this statute is enacted;

2. The purchase of books, journals, publications, computer-assisted research devices and services, computer equipment and maintenance, communication charges, and other necessary equipment, services, and fixtures;

3. The payment of the salaries and benefits of personnel to administer the law libraries and assist in the purchase, sale, and inventory of books and equipment and the payment of all bills due and owing by county law libraries. Without regard for the county in which bills were incurred or monies accrued, all monies received in the fund shall be combined and all bills paid from this fund;

4. The payment of incidental expenses as established in rules promulgated by the Supreme Court;

5. The payment of expenses occurring as the result of a natural disaster, accident, or equipment malfunction which is not reasonably foreseeable;

6. No initial orders or renewals for printed materials not previously on subscription may be placed after July 1, 1997; and

7. On or before August 1, 1997, the Administrative Director of the Courts shall solicit proposals for electronic research services to be provided to county law libraries if funds are available. Such proposals shall provide both compact disc and Internet access capabilities.

Expenditures from this fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. Until June 30, ~~2018~~ 2021, the Office of Management and Enterprise Services shall, at the request of the Administrative Director of the Courts, transfer any monies from the Law Library Revolving Fund to the Supreme Court Administrative Revolving Fund or the Interagency Reimbursement Fund as necessary to perform the

duties imposed upon the Supreme Court, Court of Civil Appeals and district courts by law.

SECTION 2. AMENDATORY 20 O.S. 2011, Section 1310.1, as last amended by Section 5, Chapter 354, O.S.L. 2019 (20 O.S. Supp. 2019, Section 1310.1), is amended to read as follows:

Section 1310.1 A. There is hereby created in the State Treasury a revolving fund for the Supreme Court, to be designated the "Supreme Court Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies appropriated by the Legislature for the purposes specified in this section and fees collected pursuant to Sections 72, 73.5, 1506 and 1707 of this title and paragraph 2 of subsection E of Section 152 of Title 28 of the Oklahoma Statutes. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Supreme Court for refunds to bondsmen and for the purpose of paying expenses authorized by Section 1809 of Title 12 of the Oklahoma Statutes, Sections 103.1, 1311, 1507, 1660 and 1707 of this title, Sections 562 and 1355.13A of Title 22 and paragraph 2 of subsection E of Section 152 of Title 28 of the Oklahoma Statutes, and to make any other expenditures determined by the Supreme Court to be necessary due to unforeseen emergencies impacting the operation of state courts, as well as recurring and nonrecurring expenditures to perform the duties imposed upon the Supreme Court or Court of Civil Appeals by law. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. Until June 30, ~~2018~~ 2021, the Office of Management and Enterprise Services shall, at the request of the Administrative Director of the Courts, transfer any monies from the Supreme Court Revolving Fund to the Supreme Court Administrative Revolving Fund or the Interagency Reimbursement Fund as necessary to perform the duties imposed upon the Supreme Court, Court of Civil Appeals and district courts by law.

SECTION 3. AMENDATORY 20 O.S. 2011, Section 1310.2, as last amended by Section 3, Chapter 12, O.S.L. 2017 (20 O.S. Supp. 2019, Section 1310.2), is amended to read as follows:

Section 1310.2 A. There is hereby created in the State Treasury a revolving fund for the Supreme Court to be designated the

"State Judicial Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all receipts designated for deposit thereto pursuant to law and monies appropriated by the Legislature for deposit thereto. All monies accruing to the credit of ~~said~~ the fund are hereby appropriated and may be budgeted by the Supreme Court as necessary to perform the duties imposed upon the Supreme Court, Court of Civil Appeals and district courts by law. The Administrative Director of the Courts, with the approval of the Chief Justice of the Supreme Court, is authorized to use the amounts deposited in the State Judicial Revolving Fund for any lawful purpose including, but not limited to, payment of recurring and nonrecurring administrative and operating expenses for the Supreme Court and the district courts, subject to the ceilings established in the annual appropriations to the Supreme Court and the district courts. The Chief Justice of the Supreme Court, or the Administrative Director of the Courts acting at the direction of the Chief Justice, shall determine the allocation of funds and expenditures between or among the Supreme Court, Court of Civil Appeals, and district courts. Expenditures from ~~said~~ the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment. The Supreme Court is hereby authorized to transfer funds from the State Judicial Revolving Fund to the district courts for duties imposed by law.

B. Until June 30, ~~2018~~ 2021, the Office of Management and Enterprise Services shall, at the request of the Administrative Director of the Courts, transfer any monies from the State Judicial Revolving Fund to the Supreme Court Administrative Revolving Fund as necessary to perform the duties imposed upon the Supreme Court, Court of Civil Appeals and district courts by law.

SECTION 4. AMENDATORY 20 O.S. 2011, Section 1310.3, as last amended by Section 4, Chapter 12, O.S.L. 2017 (20 O.S. Supp. 2019, Section 1310.3), is amended to read as follows:

Section 1310.3 A. There is hereby created in the State Treasury a revolving fund for the Supreme Court to be designated as the "Supreme Court Administrative Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies transferred by the Supreme Court in any given fiscal year or years. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended by the Supreme Court as necessary to perform the duties imposed upon

the Supreme Court, Court of Civil Appeals and district courts by law. Expenditures from ~~said~~ the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. Until June 30, ~~2018~~ 2021, the Office of Management and Enterprise Services shall, at the request of the Administrative Director of the Courts, transfer any monies from the Supreme Court Administrative Revolving Fund to the Interagency Reimbursement Fund as necessary to perform the duties imposed upon the Supreme Court, Court of Civil Appeals and district courts by law.

SECTION 5. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 15th day of May, 2020.

B. Harold Wright
Presiding Officer of the House
of Representatives

Passed the Senate the 15th day of May, 2020.

Stephanie L. Brice
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 15th

day of May, 20 20, at 11:52 o'clock ap. M.

By: Summer Curry

Approved by the Governor of the State of Oklahoma this 21st

day of May, 20 20, at 9:48 o'clock a. M.

K. J. Lesch
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st

day of May, 20 20, at 12:57 o'clock p. M.

By: Michelle Rogers