

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2771

By: Wallace and Hilbert of the
House

and

Thompson and Rader of the
Senate

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11 COMMITTEE SUBSTITUTE

12 An Act relating to state employee compensation;
13 providing for salary increase for certain employees;
14 specifying amount of salary increase; defining terms;
15 providing salary increase to be provided to certain
16 employee categories; providing for exclusion of
17 certain employee categories; providing for pro rata
18 reduction and prescribing methods related thereto;
19 making salary increase not applicable to certain
20 employees; providing for noncodification; providing
21 an effective date; and declaring an emergency.

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

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

1 A. Effective July 1, 2019, all full-time and part-time officers
2 and employees, including temporary and other limited-term employees,
3 of the state who were employed by the state on the last working day
4 of June 2019 shall be awarded an annualized salary increase equal
5 to:

6 1. One Thousand Five Hundred Dollars (\$1,500.00) for persons
7 whose gross annual salary as of June 30, 2019, was Forty Thousand
8 Dollars (\$40,000.00) or less;

9 2. One Thousand Two Hundred Fifty Dollars (\$1,250.00) for
10 persons whose gross annual salary as of June 30, 2019, was greater
11 than Forty Thousand Dollars (\$40,000.00), but less than Fifty
12 Thousand Dollars (\$50,000.00);

13 3. Eight Hundred Dollars (\$800.00) for persons whose gross
14 annual salary as of June 30, 2019, was Fifty Thousand Dollars
15 (\$50,000.00) or greater, but less than Sixty Thousand Dollars
16 (\$60,000.00); and

17 4. Six Hundred Dollars (\$600.00) for persons whose gross annual
18 salary as of June 30, 2019, was Sixty Thousand Dollars (\$60,000.00)
19 or greater.

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

22 1. Are not full-time or permanent employees;

23 2. Are not otherwise excluded by this section; and
24

1 3. Are compensated by an agency, board, commission or
2 department or other employing entity for a limited duration and
3 without any subjective expectation by either the employer or the
4 employee that the employment will become permanent.

5 C. Except for those personnel specifically excluded from
6 eligibility for any increase or advancement in salary pursuant to
7 this section, the salary increase provided by this section shall be
8 applicable to:

- 9 1. Employees of county health departments;
- 10 2. Employees of a conservation district; and
- 11 3. Employees of the George Nigh Rehabilitation Institute.

12 D. Employees eligible for the increase provided for in
13 subsection A of this section who are on leave without pay on July 1,
14 2019, shall receive an annualized increase, effective upon their
15 return to work, but shall not receive any increase for a period of
16 time prior to their return to work.

17 E. Employees who leave the state service before July 1, 2019,
18 and who are reinstated or reemployed in the state service during
19 July 2019 without a break in service, who are otherwise eligible for
20 the pay increase provided for in this section, shall be granted such
21 raise effective immediately upon such reinstatement or reemployment.
22 As used in this subsection, "break in service" is defined as a
23 period of time in excess of thirty (30) calendar days between two
24 periods of state employment.

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

6 1. Any elected official;

7 2. Any cabinet secretary whose salary is governed by Section
8 10.5 of Title 74 of the Oklahoma Statutes;

9 3. Any agency director;

10 4. Any justice or judge whose salary is governed by the
11 provisions of Title 85A of the Oklahoma Statutes or whose
12 compensation is set by the Board on Judicial Compensation pursuant
13 to Section 3.4 of Title 20 of the Oklahoma Statutes;

14 5. Any district attorney whose salary is governed by Section
15 215.30 of Title 19 of the Oklahoma Statutes;

16 6. Officers and employees of institutions under the
17 administrative authority of the Oklahoma State Regents for Higher
18 Education, except for officers and employees of the George Nigh
19 Rehabilitation Institute;

20 7. Persons employed pursuant to Section 2241 of Title 74 of the
21 Oklahoma Statutes;

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

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1 9. Persons who are employed or under contract pursuant to
2 subsection B of Section 1419 of Title 10 of the Oklahoma Statutes;
3 and

4 10. The Adjutant General and Assistant Adjutants General
5 pursuant to Section 27 of Title 44 of the Oklahoma Statutes.

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

12 H. With respect to any employee who is not a full-time
13 employee, the salary increase amounts otherwise authorized by
14 subsection A of this section shall be prorated using a methodology
15 applicable to the employee's compensation, weeks worked, months
16 worked, hours worked or similar method.

17 I. No salary increase otherwise authorized by subsection A of
18 this section shall be applicable to employees of the Department of
19 Corrections eligible to receive compensation increases pursuant to
20 Enrolled Senate Bill No. 1045 of the 1st Session of the 57th
21 Oklahoma Legislature.

22 SECTION 2. This act shall become effective July 1, 2019.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
5 AND BUDGET, dated 05/17/2019 - DO PASS, As Amended.

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