

An Act

ENROLLED SENATE
BILL NO. 232

By: Jolley, Ivester, Paddock,
Sparks, McAffrey, Shortey
and David of the Senate

and

Martin (Scott), Armes,
Banz, Bennett, Biggs,
Billy, Blackwell, Brown,
Brumbaugh, Cannaday, Casey,
Christian, Cleveland,
Cockroft, Condit, Coody,
Cooksey, Cox, Dank, Denney,
Derby, DeWitt, Dorman,
Echols, Enns, Fisher,
Floyd, Fourkiller, Glenn,
Grau, Hall, Hamilton,
Hardin, Henke, Hickman,
Hoskin, Hulbert, Inman,
Jackson, Johnson, Jordan,
Joyner, Kern, Kirby,
Kouplen, Lockhart, Martin
(Steve), Matthews, McBride,
McCall, McCullough,
McDaniel (Curtis), McDaniel
(Jeannie), McDaniel
(Randy), McNiel, McPeak,
Moore, Morrissette,
Mulready, Murphey, Nelson,
Newell, Nollan, O'Donnell,
Ortega, Osborn, Ownbey,
Perryman, Peterson,
Pittman, Proctor, Pruett,
Quinn, Renegar, Reynolds,
Ritze, Roberts (Dustin),
Roberts (Sean), Rousselot,
Russ, Sanders, Schwartz,
Scott, Sears, Shannon,
Shelton, Sherrer, Shoemake,
Smalley, Stiles, Thomsen,
Trebilcock, Turner,

Vaughan, Virgin, Walker,
Watson, Wesselhoft,
Williams, Wood and Wright
of the House

An Act relating to the Department of Public Safety; amending 47 O.S. 2011, Sections 2-105.4 and 2-105.7, as amended by Section 162, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2013, Section 105.7), 2-105.8 and 2-106, which relate to salaries; revising salaries of certain law enforcement personnel according to certain study; providing an effective date; and declaring an emergency.

SUBJECT: Department of Public Safety personnel salaries

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 2-105.4, is amended to read as follows:

Section 2-105.4.

A. ~~1. a.~~ The annual salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the commissioned officers within the Highway Patrol Division shall be in accordance and conformity with the following salary schedule findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, and irregular shift pay, as authorized by Section 2-130.1 of this title

Commissioner of Public Safety	\$89,100.00
Assistant Commissioner of Public Safety	\$83,314.00
Highway Patrol Colonel (Chief)	\$83,314.00
Highway Patrol Lieutenant Colonel	
(Assistant Chief)	\$74,827.00
Highway Patrol Lieutenant Colonel	
(Deputy Chief)	\$67,818.00
Highway Patrol Major	\$62,026.00
Highway Patrol Captain	\$57,243.00
Highway Patrol Lieutenant	\$53,306.00
Highway Patrolman (Trooper)	
Step 1	\$36,711.00
Step 2	\$38,377.00
Step 3	\$40,123.00
Step 4	\$41,953.00
Step 5	\$43,871.00
Step 6	\$45,881.00
Step 7	\$50,087.00
Probationary Highway Patrolman	\$33,000.00
Cadet Highway Patrolman	\$30,000.00

~~b. Each Highway Patrolman shall receive upon the anniversary date of the Patrolman an annual salary~~

~~increase to the step of the salary schedule provided for in subparagraph a of this paragraph which step number corresponds to the number of completed years of service the Patrolman has accumulated in the Highway Patrol Division, including service in the former Lake Patrol Division and the former Capitol Patrol Division of the Department of Public Safety if the Patrolman, within the preceding twelve month period:~~

- ~~(1) has achieved a satisfactory Performance Rating Score,~~
- ~~(2) has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and~~
- ~~(3) has not received any disciplinary action which has resulted in demotion.~~

~~Provided, if the number of completed years of service on the anniversary date of the Patrolman is or exceeds seven (7) years, said Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of said salary schedule.~~

- ~~2. a. Effective January 1, 2007, the annual salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the commissioned officers within the Highway Patrol Division shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay, as authorized by Section 840 2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2 130 of this title, irregular shift pay, as authorized by Section 2 130.1 of this title, and any pay from working shifts in addition to or in lieu of regularly scheduled shifts that may result from a contractual agreement entered into by the Department or from a special enforcement assignment:~~

~~Commissioner of Public Safety \$111,133.00~~

Assistant Commissioner of Public Safety	\$101,030.00
Highway Patrol Colonel (Chief)	\$101,030.00
Highway Patrol Lieutenant Colonel	
(Assistant Chief)	\$91,844.00
Highway Patrol Lieutenant Colonel	
(Deputy Chief)	\$83,495.00
Highway Patrol Major	\$75,904.00
Highway Patrol Captain	\$69,004.00
Highway Patrol Lieutenant	\$62,731.00
Highway Patrolman (Trooper)	
Step 1	\$38,000.00
Step 2	\$40,660.00
Step 3	\$43,506.00
Step 4	\$46,552.00
Step 5	\$49,810.00
Step 6	\$53,298.00
Step 7	\$57,028.00
Probationary Highway Patrolman	\$35,514.00
Cadet Highway Patrolman	\$33,192.00

~~b. On January 1, 2007, each Patrolman shall be assigned and the salary of such Patrolman shall be adjusted to the salary schedule provided for in subparagraph a of~~

~~this paragraph. Such initial adjustment of salaries shall be to the step which step number corresponds to the number of completed years of service the Patrolman has accumulated in the Highway Patrol Division, including service in the former Lake Patrol Division and the former Capitol Patrol Division of the Department of Public Safety. Provided, however, no such Patrolman shall receive less than the salary the Patrolman was receiving on December 31, 2006. If the number of completed years of service of such Patrolman exceeds seven (7) years on January 1, 2007, the Patrolman shall be assigned to and the Patrolman's salary adjusted to Step 7 of the salary schedule.~~

~~e. After January 1, 2007, each Highway Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the step of the salary schedule provided in subparagraph a of this paragraph which step number corresponds to the number of completed years of service the Patrolman has accumulated in the Highway Patrol Division, including service in the former Lake Patrol Division and the former Capitol Patrol Division of the Department of Public Safety, if the Patrolman, within the preceding twelve month period:~~

~~(1) has achieved a satisfactory Performance Rating Score,~~

~~(2) has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and~~

~~(3) has not received any disciplinary action which has resulted in demotion.~~

~~Provided, if the number of completed years of service on the anniversary date of the Patrolman is or exceeds seven (7) years, the Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of the salary schedule provided in subparagraph a of this paragraph.~~

~~3. Except as provided in paragraphs 1 and 2 of this subsection, in any twelve month period no Highway Patrolman shall receive:~~

~~a. a salary increase which exceeds an increase to the next higher step of the salary schedule provided for in paragraphs 1 and 2 of this subsection, or~~

~~b. more than one such salary increase to the step of the salary schedule provided for in paragraphs 1 and 2 of this subsection, unless salary increases are authorized by the Legislature.~~

~~Provided, however, such Patrolman shall receive the salary increase which results from a promotion to another position within the Highway Patrol Division.~~

~~4. The steps prescribed for the position of Highway Patrolman in the salary schedule provided for in paragraphs 1 and 2 of this subsection are for salary and compensation purposes only. No Highway Patrolman shall be reassigned to another such step of said salary schedule for the purposes of demotion, discipline, promotion, incentive, reward or for any other reason other than the salary increases provided for in paragraphs 1 and 2 of this subsection.~~

~~5. Upon graduation from the Highway Patrol Academy, each Cadet Highway Patrolman shall be promoted to and shall receive the salary for the position of Probationary Highway Patrolman. Upon completion of the one year probationary period, as required in subsection C of Section 2-105 of this title, each Probationary Highway Patrolman shall be promoted to and shall receive the salary for Step 1 of the position of Highway Patrolman, as provided for in paragraph 1 or 2 of this subsection, as applicable. Thereafter, the salary of such Patrolman shall be subject to the provisions of this subsection.~~

B. The provisions of this section shall supersede all existing laws covering the salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the commissioned officers in the Highway Patrol Division of the Department of Public Safety.

C. Nothing in this section shall be construed to prohibit a reduction in pay or salary due to involuntary leave without pay as authorized in Section 840-2.27C of Title 74 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 2-105.7, as amended by Section 162, Chapter 304, O.S.L. 2012 (47 O.S. Supp. 2013, Section 2-105.7), is amended to read as follows:

Section 2-105.7. A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety a Capitol Patrol Section which shall consist of such employees as may be necessary to provide law enforcement services to all state buildings and properties, including grounds appurtenant thereto, within Oklahoma County and Tulsa County. All commissioned officers of the Capitol Patrol Section as designated by the Commissioner shall have the authority to enforce all parking, traffic, and criminal laws within Oklahoma County and Tulsa County, and shall have the authority to perform other law enforcement duties within the state as prescribed by the Commissioner of Public Safety.

B. A Patrolman shall not be promoted to the position of Capitol Patrol Sergeant.

C. Any officer of the Capitol Patrol Section of the Oklahoma Highway Patrol Division may request reclassification to the equivalent lateral position, rank, and salary within the Oklahoma Highway Patrol Division and shall be reclassified to the position if the officer:

1. Meets the requirements of paragraph 2 of subsection B of Section 2-105 of this title. Provided, the officer shall be exempt from the maximum age limitation;

2. Satisfactorily completes a course of training as prescribed by the Commissioner; and

3. Serves a twelve-month probationary period which shall commence upon entering the course of training required by paragraph 2 of this subsection.

Such reclassified officer shall be subject to reassignment as determined by the Chief of the Oklahoma Highway Patrol Division.

D. All commissioned officers of the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall have, in addition to their primary duty as prescribed in subsection A of this section, a secondary duty to enforce all state statutes, to make arrests for violations and to perform other duties as prescribed by the Commissioner of Public Safety in accordance with Section 2-117 of this title.

E. The Office of Management and Enterprise Services and the Oklahoma Capitol Improvement Authority shall provide office and operations space for the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

F. ~~1. a. The annual salaries for the commissioned officers within the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay, as authorized by Section 840 2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, and irregular shift pay, as authorized by Section 2-130.1 of this title:~~

Patrol Captain	\$57,243.00
Patrol Lieutenant	\$53,306.00
Capitol Patrol Sergeant	\$51,646.00
Patrolman	
Step 4	\$41,953.00
Step 5	\$43,871.00
Step 6	\$45,881.00
Step 7	\$50,087.00

~~b. Each Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the next higher step of the salary schedule provided for in subparagraph a of this paragraph if the Patrolman, within the preceding twelve month period:~~

~~(1) has achieved a satisfactory Performance Rating Score,~~

~~(2) has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and~~

~~(3) has not received any disciplinary action which has resulted in demotion.~~

~~If the number of completed years of service on the anniversary date of the Patrolman is or exceeds seven (7) years, the Patrolman shall be assigned to, and the salary of the Patrolman adjusted to, Step 7 of the salary schedule.~~

~~2. Effective January 1, 2007, the annual salaries for the commissioned officers within the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, and irregular shift pay, as authorized by Section 2-130.1 of this title:~~

Patrol Captain	\$69,004.00
Patrol Lieutenant	\$62,731.00
Capitol Patrol Sergeant	\$57,028.00
Patrolman	\$57,028.00

The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public

Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

G. The provisions of this section shall supersede all existing laws covering the salaries for the commissioned officers in the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 3. AMENDATORY 47 O.S. 2011, Section 2-105.8, is amended to read as follows:

Section 2-105.8. A. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety, the Communications Section.

B. An employee shall not be promoted to the position of Communications Coordinator.

C. 1. a. ~~The annual salaries for the positions within the Communications Section shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, and irregular shift pay, as authorized by Section 2-130.1 of this title:~~

Communications Coordinator	\$45,205.00
Communications Superintendent	\$41,468.00
Communications Supervisor	\$38,071.00
Communications Dispatcher	
Step 1	\$28,631.00
Step 2	\$29,297.00
Step 3	\$29,979.00
Step 4	\$30,678.00

Step 5	\$31,395.00
Step 6	\$32,130.00
Step 7	\$34,983.00
Probationary Communications Dispatcher	\$25,349.00

~~b. Each Communications Dispatcher shall receive upon the anniversary date of such Dispatcher an annual salary increase to the next higher step of the salary schedule provided for in subparagraph a of this paragraph if such Dispatcher, within the preceding twelve month period:~~

- ~~(1) has achieved a satisfactory Performance Rating Score,~~
- ~~(2) has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and~~
- ~~(3) has not received any disciplinary action which has resulted in demotion.~~

~~If the number of completed years of service on the anniversary date of the Dispatcher is or exceeds seven (7) years, the Dispatcher shall be assigned to, and the salary of the Dispatcher adjusted to, Step 7 of the salary schedule.~~

~~2. a. Effective January 1, 2007, the annual salaries for the positions within the Communications Section shall be in accordance and conformity with the following salary schedule, exclusive of longevity pay, as authorized by Section 840 2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2 130 of this title, and irregular shift pay, as authorized by Section 2 130.1 of this title:~~

Communications Coordinator	\$57,189.00
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Communications Superintendent	\$51,990.00
Communications Supervisor	\$47,264.00
Communications Dispatcher	
Step 1	\$28,631.00
Step 2	\$30,635.00
Step 3	\$32,780.00
Step 4	\$35,074.00
Step 5	\$37,529.00
Step 6	\$40,156.00
Step 7	\$42,967.00
Probationary Communications Dispatcher	\$26,758.00

~~b. On January 1, 2007, each Communications Dispatcher shall be assigned and the salary of such Dispatcher shall be adjusted to the salary schedule provided for in subparagraph a of this paragraph. Such initial adjustment of salaries shall be to the step whose number corresponds to the number of completed years of service the Dispatcher has accumulated in the Communications Section of the Oklahoma Highway Patrol Division of the Department of Public Safety. Provided, however, no such Dispatcher shall receive less than the salary the Dispatcher was receiving on December 31, 2006. If the number of completed years of service of such Dispatcher exceeds seven (7) years on January 1, 2007, the Dispatcher shall be assigned to and the Dispatcher's salary adjusted to Step 7 of the salary schedule.~~

~~c. After January 1, 2007, each Communications Dispatcher shall receive upon the anniversary date of the~~

~~Dispatcher an annual salary increase to the next higher step of the salary schedule provided for in subparagraph a of this paragraph if the Dispatcher, within the preceding twelve month period:~~

- ~~(1) has achieved a satisfactory Performance Rating Score,~~
- ~~(2) has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and~~
- ~~(3) has not received any disciplinary action which has resulted in demotion.~~

~~If the number of completed years of service on the anniversary date of the Dispatcher is or exceeds seven (7) years, the Dispatcher shall be assigned to, and the salary of the Dispatcher adjusted to, Step 7 of the salary schedule.~~

~~3. Except as provided in paragraphs 1 and 2 of this subsection, in any twelve month period no Dispatcher shall receive:~~

- ~~a. a salary increase which exceeds an increase to the next higher step of the salary schedule provided for in paragraphs 1 and 2 of this subsection, or~~
- ~~b. more than one such salary increase to the step of the salary schedule provided for in paragraphs 1 and 2 of this subsection, unless salary increases are authorized by the Legislature.~~

~~Provided, however, such Dispatcher shall receive the salary increase which results from a promotion to another position within the Communications Section.~~

~~4. The steps prescribed for the position of Communications Dispatcher in the salary schedule provided for in paragraphs 1 and 2 of this subsection are for salary and compensation purposes only. No Communications Dispatcher shall be reassigned to another such step of said salary schedule for the purposes of demotion,~~

~~discipline, promotion, incentive, reward or for any other reason other than the salary increases provided for in paragraphs 1 and 2 of this subsection.~~

~~5. Upon completion of the one year probationary period as required in subsection D of Section 840 4.13 of Title 74 of the Oklahoma Statutes, each Probationary Communications Dispatcher shall be promoted to and shall receive the salary for Step 1 of the position of Communications Dispatcher, as provided for in paragraph 1 or 2 of this subsection, whichever is applicable. Thereafter, the salary of such Dispatcher shall be subject to the provisions of this subsection.~~

The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

D. The provisions of this section shall supersede all existing laws covering the salaries for the positions in the Communications Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 4. AMENDATORY 47 O.S. 2011, Section 2-106, is amended to read as follows:

Section 2-106. A. There is hereby established in the Department of Public Safety the Driver License Examining Division and the Driver Compliance Division and such other divisions as the Commissioner of Public Safety may direct.

B. The Driver License Examining Division shall consist of noncommissioned classified employees of the Department who may administer tests for the purpose of issuing driver licenses pursuant to ~~Chapter 6~~ Section 6-101 et seq. of this title.

C. Any employee appointed to the position of Driver License Examiner shall be not less than twenty-one (21) nor more than sixty-five (65) years of age and any person appointed to the position of Senior Driver License Examiner shall have held the position of Driver License Examiner with the Department for not less than three (3) years immediately preceding such appointment.

D. 1. Any person appointed to any position created pursuant to this section shall:

- a. be a citizen of the State of Oklahoma,
- b. be of good moral character,
- c. possess a high school diploma or General Educational Development equivalency certificate, and
- d. meet physical and mental standards as the Commissioner may prescribe. The scope of the physical and mental examinations for persons appointed as a Driver License Examiner or Senior Driver License Examiner shall be as prescribed by the Commissioner.

2. Any person appointed to the position of Driver License Examiner shall be required to complete satisfactorily a course of training as prescribed by the Commissioner.

E. Drunkenness, being under the influence of an intoxicating substance or any conduct not becoming an officer or public employee shall be sufficient grounds for the removal of any employee appointed pursuant to this section.

F. ~~Effective January 1, 2007, the annual salaries of the following employees of the Driver License Examining Division of the Department of Public Safety shall be in accordance with the following salary schedule, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes:~~

- ~~1. Driver License Examiner _____ \$34,023.00;~~
- ~~2. Senior Driver License Examiner _____ \$40,686.00;~~
- ~~3. Administrative Programs Officer I _____ \$37,202.00;~~
- ~~4. Administrative Programs Officer II _____ \$43,308.00; and~~
- ~~5. Training Specialist _____ \$40,686.00.~~

~~Provided, however, no such employee shall receive less than the salary the employee was receiving on December 31, 2006~~ The annual salaries of personnel comprising this section shall be in accordance and conformity with the findings for Department of Public Safety law enforcement personnel of the State of Oklahoma Total Remuneration Study of 2013.

SECTION 5. This act shall become effective July 1, 2014.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and 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 Senate the 11th day of March, 2014.

A. B. Bynum
Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2014.

Cian S. Sullivan
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 11th
day of April, 20 14, at 4:56 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 22nd
day of April, 20 14, at 3:17 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 22nd
day of April, 20 14, at 4:17 o'clock P M.

By: Chris Benz