An Act

ENROLLED SENATE
BILL NO. 853

By: Jolley and Treat of the Senate

and

Sears and Casey of the House

An Act relating to the Department of Human Services; amending 56 O.S. 2011, Section 26.17, as amended by Section 230, Chapter 304, O.S.L. 2012 (56 O.S. Supp. 2014, Section 26.17), which relates to Department personnel; clarifying language; modifying percentage of employees in unclassified service; providing an effective date; and declaring an emergency.

SUBJECT: Department of Human Services personnel

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

SECTION 1. AMENDATORY 56 O.S. 2011, Section 26.17, as amended by Section 230, Chapter 304, O.S.L. 2012 (56 O.S. Supp. 2014, Section 26.17), is amended to read as follows:

Section 26.17. A. The Director of Human Services~~, subject to the approval of the Commission for Human Services,~~ shall have the power to employ and fix the qualifications, duties, and compensation of employees necessary to the fulfillment of the ~~provisions of this act~~ duties of the Department of Human Services as provided by law, and shall have the power to approve any legal claim for payment.

B. The Department of Human Services shall be a Merit System agency. The provisions of this section shall supersede and revoke any and all Executive Orders placing the Department of Human Services or its predecessors under the provisions of the Merit System of Personnel Administration.

C. In addition to offices, positions, and personnel in the unclassified service pursuant to Sections 840-5.3 and 840-5.5 of Title 74 of the Oklahoma Statutes, the following offices, positions, and personnel shall be in the unclassified service:

1. Campus police appointed pursuant to Section 162.2 of this title;

2. The legal division or unit established pursuant to Section 236 of this title;

3. The Construction Unit and the Architectural and Engineering Unit or their successor units; and

4. A maximum of ~~five percent (5%)~~ ten percent (10%) of the maximum number of full-time-equivalent positions authorized by law to the Department of Human Services and selected at the discretion of the Director of the Department of Human Services. Employees retained in the unclassified service under the provisions of this section shall be employees at will. Any classified employee occupying a position selected by the Director pursuant to this paragraph to become an unclassified position may elect to retain classified status. All future appointees to such position shall be in the unclassified service. The Director shall submit a list of such positions to the Office of Management and Enterprise Services by September 1, 2004, and annually thereafter.

D. All other offices, positions and personnel of the Department of Human Services shall be classified and subject to the provisions of the Merit System of Personnel Administration, as provided in the Oklahoma Personnel Act and rules promulgated thereunder.

SECTION 2. This act shall become effective July 1, 2015.

SECTION 3. 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 20th day of May, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2015.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 22nd

day of May, 20 15, at 8:08 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 4th

day of June, 20 15, at 3:11 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 4th

day of June, 20 15, at 5:19 o'clock P. M.

By: Chris Mennis