

1 ENGROSSED SENATE
2 BILL NO. 590

By: Sharp of the Senate

3 and

4 Osburn of the House

5
6 [counties and county officers - continuing education
7 program for certain county employees - effective date]
8

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

10 SECTION 1. AMENDATORY 19 O.S. 2011, Section 339, as last
11 amended by Section 1, Chapter 188, O.S.L. 2018 (19 O.S. Supp. 2018,
12 Section 339), is amended to read as follows:

13 Section 339. A. The board of county commissioners shall have
14 power:

15 1. To make all orders respecting the real property of the
16 county, to sell the public grounds of the county and to purchase
17 other grounds in lieu thereof; and for the purpose of carrying out
18 the provisions of this section it shall be sufficient to convey all
19 the interests of the county in those grounds when an order made for
20 the sale and a deed is executed in the name of the county by the
21 chair of the board of county commissioners, reciting the order, and
22 signed by the chair and acknowledged by the county clerk for and on
23 behalf of the county;
24

1 2. To audit the accounts of all officers having the care,
2 management, collection or disbursement of any money belonging to the
3 county or appropriated for its benefit;

4 3. To construct and repair bridges and to open, lay out and
5 vacate highways; provided, however, that when any state institution,
6 school or department shall own, lease or otherwise control land on
7 both sides of any established highway, the governing board or body
8 of the same shall have the power to vacate, alter or relocate the
9 highway adjoining the property in the following manner:

10 If it should appear that it would be to the best use and
11 interest of the institution, school or department to vacate, alter
12 or relocate such highway, the governing board or body shall notify
13 the board of county commissioners, in writing, of their intention to
14 hold a public hearing and determine whether to vacate, alter or
15 relocate the highway, setting forth the location and terminals of
16 the road, and all data concerning the proposed right-of-way if
17 changed or relocated, and shall give fifteen (15) days' notice of
18 the hearing by publication in some newspaper in the county or
19 counties in which the road is located, and the hearing shall be held
20 at the county seat of the county in which the road is located, and
21 if a county line road, may be heard in either county. At the
22 hearing testimony may be taken, and any protests or suggestions
23 shall be received as to the proposed measure, and at the conclusion
24 thereof if the governing board or body shall find that it would be

1 to the best use and interest of the institution, school or
2 department, and the public generally, they may make an appropriate
3 order either vacating, altering or relocating the highway, which
4 order shall be final if approved by the board of county
5 commissioners. The institution, school or department may by
6 agreement share the cost of changing any such road. No property
7 owner shall be denied access to a public highway by the order;

8 4. To recommend or sponsor an employee or prospective employee
9 for job-related training and certification in an area that may
10 require training or certification to comply with state or federal
11 law as such training or certification is provided by the Department
12 of Transportation, the Federal Highway Administration, or any other
13 state agency, technology center school, or university;

14 5. To approve a continuing education program for full-time
15 county employees with at least five (5) consecutive years of service
16 to the county. Such programs shall consist of courses offered by
17 colleges and universities that are members of The Oklahoma State
18 System of Higher Education. Such programs shall require that
19 employees maintain at least an "A" or "B" average in order to
20 qualify for one hundred percent (100%) reimbursement. Employees who
21 maintain passing or satisfactory grades shall qualify for seventy
22 five percent (75%) reimbursement under such programs. Such programs
23 shall require that documentation from colleges and universities
24 regarding courses completed, credits earned, and tuition charged be

1 submitted to a Board of County Commissioners within ninety (90) days
2 after the completion of courses. General applications and request
3 forms for such programs shall be submitted to a Board of County
4 Commissioners or an appropriate human resources department prior to
5 the conclusion of a county's current fiscal year. Employees who
6 elect to participate in such programs shall continue to meet the
7 full responsibilities of their positions, and participation shall
8 not interfere with availability for scheduled work or negatively
9 affect work performance. In order to be eligible for participation
10 in such programs, employees shall not have been formally disciplined
11 within one (1) year prior to submitting their program application.
12 A Board of County Commissioners shall be authorized to establish a
13 program requiring a one-year commitment of service to the county
14 from individuals who participate in such programs. Under such
15 programs, employees shall only be eligible to receive tuition
16 reimbursements in exchange for employment with the county lasting at
17 least one (1) year.

18 6. Until January 1, 1983, to furnish necessary blank books,
19 plats, blanks and stationery for the clerk of the district court,
20 county clerk, register of deeds, county treasurer and county judge,
21 sheriff, county surveyor and county attorney, justices of the peace,
22 and constables, to be paid for out of the county treasury; also a
23 fireproof vault sufficient in which to keep all the books, records,
24 vouchers and papers pertaining to the business of the county;

1 ~~6.~~ 7. To set off, organize and change the boundaries of
2 townships and to designate and give names therefor; provided, that
3 the boundaries of no township shall be changed within six (6) months
4 next preceding a general election;

5 ~~7.~~ 8. To lease tools, apparatus, machinery or equipment of the
6 county to another political subdivision or a state agency. The
7 Association of County Commissioners of Oklahoma and the Oklahoma
8 State University Center for Local Government Technology together
9 shall establish a system of uniform rates for the leasing of such
10 tools, apparatus, machinery and equipment;

11 ~~8.~~ 9. To jointly, with other counties, buy heavy equipment and
12 to loan or lease such equipment across county lines;

13 ~~9.~~ 10. To develop personnel policies for the county with the
14 approval of a majority of all county elected officers, as evidenced
15 in the minutes of a meeting of the board of county commissioners or
16 the county budget board;

17 ~~10.~~ 11. To purchase, rent, or lease-purchase uniforms, safety
18 devices and equipment for the officers and employees of the county.
19 The county commissioners may pay for any safety training or safety
20 devices and safety equipment out of the general county funds or any
21 county highway funds available to the county commissioners;

22 ~~11.~~ 12. To provide incentive awards for safety-related job
23 performance. However, no employee shall be recognized more than
24 once per calendar year and the award shall not exceed the value of

1 Two Hundred Fifty Dollars (\$250.00); further, no elected official
2 shall be eligible to receive a safety award;

3 ~~12.~~ 13. To provide for payment of notary commissions, filing
4 fees, and the cost of notary seals and bonds;

5 ~~13.~~ 14. To do and perform other duties and acts that the board
6 of county commissioners may be required by law to do and perform;

7 ~~14.~~ 15. To make purchases at a public auction pursuant to the
8 county purchasing procedures in subsection D of Section 1505 of this
9 title;

10 ~~15.~~ 16. To deposit interest income from highway funds in the
11 general fund of the county;

12 ~~16.~~ 17. To submit sealed bids for the purchase of equipment
13 from this state, or any agency or political subdivision of this
14 state;

15 ~~17.~~ 18. To utilize county-owned equipment, labor and supplies
16 at their disposal on property owned by the county, public schools,
17 two-year colleges or technical branches of colleges that are members
18 of The Oklahoma State System of Higher Education, the state and
19 municipalities according to the provisions of Section 36-113 of
20 Title 11 of the Oklahoma Statutes. Cooperative agreements may be
21 general in terms of routine maintenance or specific in terms of
22 construction and agreed to and renewed on an annual basis. Work
23 performed pursuant to Section 36-113 of Title 11 of the Oklahoma
24 Statutes shall comply with the provisions of this section;

1 ~~18.~~ 19. To enter into intergovernmental cooperative agreements
2 with the federally recognized Indian tribes within this state to
3 address issues of construction and maintenance of streets, roads,
4 bridges and highways exclusive of the provisions of Section 1221 of
5 Title 74 of the Oklahoma Statutes;

6 ~~19.~~ 20. To execute hold harmless agreements with the lessor in
7 the manner provided by subsection B of Section 636.5 of Title 69 of
8 the Oklahoma Statutes when leasing or lease-purchasing equipment;

9 ~~20.~~ 21. To accept donations of right-of-way or right-of-way
10 easements pursuant to Section 381 et seq. of Title 60 of the
11 Oklahoma Statutes;

12 ~~21.~~ 22. To establish by resolution the use of per diem for
13 specific purposes in accordance with the limitations provided by
14 Sections 500.8 and 500.9 of Title 74 of the Oklahoma Statutes;

15 ~~22.~~ 23. To apply to the Department of Environmental Quality for
16 a waste tire permit to bale waste tires for use in approved
17 engineering projects;

18 ~~23.~~ 24. To enter into the National Association of Counties
19 (NACo) Prescription Drug Discount Program;

20 ~~24.~~ 25. To work with federal, state, municipal, and public
21 school district properties in an effort to minimize cost to such
22 entities;

23 ~~25.~~ 26. To provide incentive awards to employees for
24 participating in voluntary wellness programs which result in

1 improved health. Incentive awards may be created by the Wellness
2 Council set forth in Section 1302 of this title; and

3 ~~26.~~ 27. To establish a county employee benefit program to
4 encourage outstanding performance in the workplace. Monies may be
5 expended for the purchase of recognition awards for presentation to
6 an employee or members of a work unit.

7 B. The county commissioners of a county or, in counties where
8 there is a county budget board, the county budget board may
9 designate money from general county funds for the designated purpose
10 of drug enforcement and drug abuse prevention programs within the
11 county.

12 C. When any lease or lease purchase is made on behalf of the
13 county by the board pursuant to the provisions of this section, the
14 county shall be allowed to have trade in values for transactions
15 involving The Oklahoma Central Purchasing Act.

16 D. In order to timely comply with the Oklahoma Vehicle License
17 and Registration Act with regard to county vehicles, the board of
18 county commissioners may, by resolution, create a petty cash
19 account. The board of county commissioners may request a purchase
20 order for petty cash in an amount necessary to pay the expense of
21 license and registration fees for county motor vehicles. Any
22 balance in the petty cash account after the license and registration
23 fees have been paid shall be returned to the account or fund from
24 which the funds originated. The county purchasing agent shall be

1 the custodian of the petty cash account, and the petty cash account
2 shall be subject to audit.

3 E. When the board of county commissioners approves an express
4 trust, pursuant to Sections 176 through 180.4 of Title 60 of the
5 Oklahoma Statutes, for the purpose of operating a county jail, the
6 trustees of the public trust may appoint commissioned peace
7 officers, certified by the Council on Law Enforcement Education and
8 Training, to provide security for inmates that are required to be
9 transported outside of the detention facility, and investigate
10 violations of law within the detention facility. Other personnel
11 necessary to operate the jail may be employed and trained or
12 certified as may be required by applicable state or federal law.

13 SECTION 2. This act shall become effective November 1, 2019.

14 Passed the Senate the 12th day of March, 2019.

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16 _____
17 Presiding Officer of the Senate

18 Passed the House of Representatives the ____ day of _____,
19 2019.

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21 _____
22 Presiding Officer of the House
23 of Representatives
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