

1 ENGROSSED SENATE
2 BILL NO. 1501

By: Dahm of the Senate

3 and

4 Steagall of the House

5
6 An Act relating to public finance; amending 62 O.S.
7 2011, Sections 34.42, as amended by Section 372,
8 Chapter 304, O.S.L. 2012 and Section 1, Chapter 210,
9 O.S.L. 2019 (62 O.S. Supp. 2019, Sections 34.42 and
10 34.42.1), which relate to information on budgets;
11 requiring state agency budgets to include certain
12 federal funds information; requiring certain
13 political subdivisions to make specified disclosure
14 about federal funds; and providing an effective date.

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

16 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.42, as
17 amended by Section 372, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
18 2019, Section 34.42), is amended to read as follows:

19 Section 34.42. A. On or before the first day of June in each
20 year, or as soon thereafter as possible, all agencies shall file
21 agency budgets with the Director of the Office of Management and
22 Enterprise Services. Copies of all agency budgets shall also be
23 made available electronically to the staff of the Joint Legislative
24 Committee on Budget and Program Oversight.

B. The required instructions, content and format of agency
budgets shall be developed by the staff of the Budget Division of
the Office of Management and Enterprise Services.

1 C. 1. The agency budget shall include a description of all
2 funds available to the agency for expenditure and set out allotments
3 requested by the agency by quarter and the entire fiscal year. The
4 description shall include, but not be limited to, information on
5 federal funds which are under the agency's control and subject to
6 the disclosure requirements of Section 34.42.1 of this title.

7 2. The agency budget shall be accompanied by an organizational
8 chart of the agency, a statement of agency mission and program
9 objectives.

10 3. The agency budget shall delineate agency spending by such
11 categories and with at least as much detail as is specified in the
12 legislative appropriation and as prescribed by the Director of the
13 Office of Management and Enterprise Services.

14 4. Agency budgets shall be signed by the executive officer of
15 each agency.

16 D. A "request officer" shall be designated by each state agency
17 for the purpose of making program and allotment requests.

18 E. Executive officers of agencies shall cooperate with the
19 Office of Management and Enterprise Services staff and Joint
20 Committee staff in developing program budgeting categories.

21 F. All funds available or expected to be made available to any
22 agency, including nonfiscal appropriations, shall not be available
23 for expenditure until the request officer of the agency has complied
24 with the applicable provisions of the Oklahoma State Finance Act and

1 has received approval of such request for funds from the Director of
2 the Office of Management and Enterprise Services.

3 G. The provisions of this section shall not apply to CompSource
4 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
5 program authorized by Sections 3316 and 3317 of Title 74 of the
6 Oklahoma Statutes.

7 SECTION 2. AMENDATORY Section 1, Chapter 210, O.S.L.
8 2019 (62 O.S. Supp. 2019, Section 34.42.1), is amended to read as
9 follows:

10 Section 34.42.1. A. Except as provided in subsection C of this
11 section, all agencies and only those political subdivisions of the
12 state that maintain a website shall make an annual disclosure
13 pursuant to a separate written report and information available
14 through a website maintained by or on behalf of the entity of all
15 federal funds under the control of the entity and the programs for
16 which the federal funds are used by distinct expenditure categories
17 and shall identify the priority or rank of the federal funds in
18 descending order with the funding source the agency or political
19 subdivision relies on to the greatest extent listed first and the
20 funding source the agency or political subdivision relies on to the
21 least extent listed last. The information required by this
22 subsection shall include, but shall not be limited to:

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1 1. A description of any action required to be taken by the
2 state government entity or political subdivision as a condition for
3 the receipt or continued receipt of federal funds;

4 2. A description of any action prohibited to be taken by the
5 state government entity or political subdivision as a condition for
6 the receipt or continued receipt of federal funds;

7 3. A description of any action required to be taken by any
8 individual or lawfully recognized business entity or other entity as
9 a condition for the benefits purported to be conferred on the
10 individual or other legal entity as a result of the use of the
11 federal funds; and

12 4. A description of any action prohibited to be taken by any
13 individual or lawfully recognized business entity or other entity as
14 a condition for the benefits purported to be conferred on the
15 individual or other legal entity as a result of the use of the
16 federal funds.

17 B. Every entity subject to the requirements of this section
18 shall make an annual disclosure, either pursuant to a separate
19 written report, information available through a website maintained
20 by or on behalf of the entity or both, of the federal funds for
21 which the agency or political subdivision must incur costs to
22 implement and shall provide such information in descending order
23 with the most costly federal funds listed first and the least costly
24 federal funds listed last.

1 C. Any agency or political subdivision receiving and
2 administering federal funds that require the receiving agency to
3 maintain any level of security clearance in order to administer
4 those funds and any political subdivision that does not maintain a
5 website shall be exempt from the provisions of this section.

6 SECTION 3. This act shall become effective November 1, 2020.

7 Passed the Senate the 11th day of March, 2020.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the ____ day of _____,

12 2020.

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Presiding Officer of the House
of Representatives

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