

EHB 2086

THE STATE SENATE  
Thursday, April 6, 2006

ENGROSSED

House Bill No. 2086

ENGROSSED HOUSE BILL NO. 2086 - By: WILT of the House and FORD of the Senate.

An Act relating to education; amending 68 O.S. 2001, Section 3002, as last amended by Section 15, Chapter 361, O.S.L. 2004 (68 O.S. Supp. 2005, Section 3022), which relates to filing financial statements and estimates; amending 70 O.S. 2001, Section 5-128.1, which relates to annual itemized expenditure budget and funding request; changing filing date; and declaring an emergency.

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

SECTION 1. AMENDATORY 68 O.S. 2001, Section 3002, as last amended by Section 15, Chapter 361, O.S.L. 2004 (68 O.S. Supp. 2005, Section 3002), is amended to read as follows:

Section 3002. A. Notwithstanding the provisions of the School District Budget Act, each board of county commissioners and the board of education of each school district, shall, prior to ~~September~~ October 1 of each year, make, in writing, a financial statement, showing the true fiscal condition of their respective political subdivisions as of the close of the previous fiscal year ended June 30th, and shall make a written itemized statement of estimated needs and probable income from all sources including ad valorem tax for the current fiscal year. Such financial statement shall be supported by schedules or exhibits showing, by classes, the

1 amount of all receipts and disbursements, and shall be sworn to as  
2 being true and correct. The statement of estimated needs shall be  
3 itemized so as to show, by classes: first, the several amounts  
4 necessary for the current expenses of the political subdivision and  
5 each officer and department thereof as submitted in compliance with  
6 the provisions of Section 3004 of this title; second, the amount  
7 required by law to be provided for sinking fund purposes; third, the  
8 probable income that will be received from all sources, including  
9 interest income and ad valorem taxes; and shall be detailed in form  
10 and amount so as to disclose the several items for which the excise  
11 board is authorized and required, by this article, to approve  
12 estimates and make appropriations.

13 B. Each municipality that does not prepare an annual audit  
14 pursuant to Section 17-105 of Title 11 of the Oklahoma Statutes  
15 shall make a financial statement as required by this section. Every  
16 municipality shall adopt a budget, which shall contain estimates of  
17 expenditures and revenues, including probable income by source, for  
18 the budget year; provided, that all municipalities may use estimated  
19 fund balances if final certified fund balances are not available.  
20 The budget shall be in a format similar to the estimate of needs or,  
21 at the municipality's discretion, to Sections 17-207 and 17-212  
22 through 17-214 of Title 11 of the Oklahoma Statutes. This section

1 shall not apply to any municipality that has opted to prepare a  
2 budget pursuant to the Municipal Budget Act.

3 C. Each budget and each financial statement and estimate of  
4 needs for each county, city, incorporated town, or school district,  
5 as prepared in accordance with this section, shall be published in  
6 one issue in some legally qualified newspaper published in such  
7 political subdivision. If there be no such newspaper published in  
8 such political subdivision, such statement and estimate shall be so  
9 published in some legally qualified newspaper of general circulation  
10 therein; and such publication shall be made, in each instance, by  
11 the board or authority making the estimate.

12 D. The financial statements and estimates of all counties shall  
13 be filed with the county excise board on or before August 17 of each  
14 year; and the financial statements and budgets of all incorporated  
15 towns shall be filed with the county excise board on or before  
16 August 22 of each year; and the financial statements and budgets of  
17 all cities shall be filed with the county excise board on or before  
18 August 27 of each year; and the financial statements and estimates  
19 of all school districts shall be filed with the county excise board  
20 on or before ~~September~~ October 1 of each year. Said financial  
21 statements and estimates shall have attached thereto an affidavit  
22 showing the publication thereof as required herein, or they may be

1 filed and the said affidavit attached thereto at any time within  
2 five (5) days after the filing thereof.

3 SECTION 2. AMENDATORY 70 O.S. 2001, Section 5-128.1, is  
4 amended to read as follows:

5 Section 5-128.1 No later than ~~September~~ October 1 of each year  
6 the board of education of each school district shall file with the  
7 State Board of Education an itemized expenditure budget and request  
8 for state appropriated funds for the ensuing fiscal year, and an  
9 estimate of the revenues from all sources to be received by the  
10 district during the ensuing fiscal year.

11 SECTION 3. It being immediately necessary for the preservation  
12 of the public peace, health and safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

15 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 4-3-06 - DO PASS.