

3 Senate Bill No. 8

4 SENATE BILL NO. 8 - By: WYRICK of the Senate and NANCE of the House.

5 An Act relating to state government; amending 74 O.S. 2001,
6 Section 500.2, as amended by Section 11, Chapter 130, O.S.L.
7 2004 (74 O.S. Supp. 2004, Section 500.2), which relates to
8 the State Travel Reimbursement Act; authorizing the Oklahoma
9 Homeland Security Director and the State Commissioner of
10 Health to enter into contracts and agreements for the
11 payment of food, lodging and other authorized expenses
12 associated with certain activities; and declaring an
13 emergency.

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

15 SECTION 1. AMENDATORY 74 O.S. 2001, Section 500.2, as
16 amended by Section 11, Chapter 130, O.S.L. 2004 (74 O.S. Supp. 2004,
17 Section 500.2), is amended to read as follows:

18 Section 500.2 A. Officials and employees of the state,
19 traveling on authorized state business, may be reimbursed for
20 expenses incurred in such travel in accordance with the provisions
21 of the State Travel Reimbursement Act and existing statutes relating
22 to state travel. Persons who are not state employees, but who are
23 performing substantial and necessary services to the state which
24 have been directed or approved by the appropriate department
25 official shall enjoy the protection of the sovereign immunity of the
26 state to the same extent as a paid employee. Such persons may be
27 reimbursed for expenses incurred during authorized official travel

1 under these same statutory provisions, provided it is indicated on
2 the claim the person is not a state employee, a description of
3 services performed is entered, and the agency head by his approval
4 of the claim certifies such services were substantial and necessary,
5 and germane to the duties and functions of the reimbursing agency.
6 Travel expenses incurred by a person during the course of seeking
7 employment with a state agency, unless such travel is performed at
8 the request of the employing agency, shall not be considered
9 expenses incurred in performing substantial and necessary services
10 to the state and shall not be reimbursed under the provisions of the
11 State Travel Reimbursement Act.

12 B. The chief administrative officer of the Department of Public
13 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
14 State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma
15 Military Department, the Department of Corrections, the Department
16 of Central Services, the Alcoholic Beverage Laws Enforcement
17 Commission, the ~~State~~ Oklahoma Department of Agriculture, Food, and
18 Forestry, the Department of Civil Emergency Management, and the
19 State Fire Marshal may arrange for and charge meals and lodging for
20 a contingent of state personnel moved into an area for the purpose
21 of preserving the public health, safety, or welfare or for the
22 protection of life or property. The cost for meals or lodging so
23 charged shall not exceed the amount authorized in the State Travel

1 Reimbursement Act. The chief administrative officer of each agency
2 involved in such an operation shall require the vendor furnishing
3 meals, lodging, or both meals and lodging to submit an itemized
4 statement for payment. When a claim for lodging is made for a
5 contingent of state personnel, individual members of the contingent
6 may not submit a claim for lodging. When a claim for meals is made
7 for a contingent of state personnel, individual members of the
8 contingent may not submit a claim for meals.

9 C. The Oklahoma Department of Commerce, the Oklahoma Center for
10 the Advancement of Science and Technology, and the ~~State~~ Oklahoma
11 Department of Agriculture, Food, and Forestry are hereby authorized
12 to enter into contracts and agreements for the payment of food,
13 lodging, meeting facility and beverage expenses as may be necessary
14 for sponsoring seminars and receptions relating to economic
15 development and science and technology issues. Such expenses may be
16 paid directly to the contracting agency or business establishment.
17 The Director of the Oklahoma Department of Commerce, the President
18 of the Oklahoma Center for the Advancement of Science and
19 Technology, and the Commissioner of Agriculture shall each provide a
20 quarterly report of such expenditures to the Governor, the Speaker
21 of the House of Representatives and the President Pro Tempore of the
22 Senate.

1 D. The Native American Cultural and Educational Authority is
2 hereby authorized to enter into contracts and agreements for the
3 payment of food, lodging, and meeting facility as may be necessary
4 to pursue the promotion of fund-raising, marketing, and development
5 of Native American educational programs and cultural projects, or to
6 sponsor luncheons, seminars, and receptions relating to Native
7 American educational, cultural, museum, and economic development
8 issues. Such expenses may be paid directly to the contracting
9 agency or business establishment. The Executive Director shall
10 provide a monthly report of expenditures to the Board.

11 E. For purposes of this section:

12 1. "State agency" means any constitutionally or statutorily
13 created state board, commission, or department, including the
14 Legislature and the Courts;

15 2. State agencies are authorized to enter into contracts and
16 agreements for the payment of food and lodging expenses as may be
17 necessary for employees or other persons who are performing
18 substantial and necessary services to the state attending official
19 conferences, meetings, seminars, workshops, or training sessions or
20 in the performance of their duties. Such expenses may be paid
21 directly to the contracting agency or business establishment,
22 provided the meeting qualifies for overnight travel for the
23 employees and the cost for food and lodging for each employee shall

1 not exceed the total daily rate as provided in the State Travel
2 Reimbursement Act, ~~Section 500.1 et seq. of this title;~~ and

3 3. State agencies are authorized to enter into contracts and
4 agreements for the payment of conference registration expenses as
5 may be necessary for employees or other persons who are performing
6 substantial and necessary services to the state attending official
7 conferences, meetings, seminars, workshops, or training sessions.
8 Such expenses may be paid directly to the contracting agency or
9 business establishment.

10 F. State agencies are authorized to make direct purchases of
11 commercial airline tickets for use by employees in approved out-of-
12 state travel. Each claim or invoice submitted to the Director of
13 State Finance for the payment of the purchase shall bear the airline
14 identifying ticket number, the name of the airline, total cost of
15 each ticket purchased, class of accommodation, social security
16 number, and name of the employee for whom the ticket was purchased,
17 and shall be filed on claim forms as prescribed by the Director of
18 State Finance. The employee shall sign an affidavit stating that
19 the employee did use any direct purchase commercial airline ticket
20 received for his or her approved out-of-state travel.

21 G. 1. The Administrator of the Office of Personnel Management
22 is hereby authorized to enter into contracts and agreements for the
23 payment of food, lodging, and other authorized expenses as may be

1 necessary to host, conduct, sponsor, or participate in conferences,
2 meetings, or training sessions. The Administrator may establish
3 accounts as necessary for the collection and distribution of funds,
4 including funds of sponsors and registration fees, related to such
5 conferences, meetings, and training sessions. Expenses incurred may
6 be paid directly to the contracting agency or business
7 establishment.

8 2. The cost of food for persons attending any conferences,
9 meetings, and training sessions that do not require overnight travel
10 shall not exceed the total daily rate as provided in the State
11 Travel Reimbursement Act.

12 H. 1. The Commissioner of the Department of Mental Health and
13 Substance Abuse Services is hereby authorized to enter into
14 contracts and agreements for the payment of food, lodging, and other
15 authorized expenses as may be necessary to host, conduct, sponsor,
16 or participate in conferences, meetings, or training sessions. The
17 Commissioner may establish accounts as necessary for the collection
18 and distribution of funds, including funds of sponsors and
19 registration fees, related to such conferences, meetings, and
20 training sessions. Any expenses incurred may be paid directly to
21 the contracting agency or business establishment.

22 2. The cost of food for persons attending any conferences,
23 meetings, and training sessions that do not require overnight travel

1 shall not exceed the total daily rate as provided in the State
2 Travel Reimbursement Act.

3 I. The Oklahoma Indigent Defense System is hereby authorized to
4 enter into contracts and agreements for the payment of lodging as
5 necessary for employees to carry out their duties in representing
6 any client whom the System has been properly appointed to represent.
7 Such expenses may be paid directly to the contracting agency or
8 business establishment. The cost for lodging for each employee
9 shall not exceed the daily rate as provided in the State Travel
10 Reimbursement Act.

11 J. The Oklahoma Tourism and Recreation Department is hereby
12 authorized to enter into contracts and agreements for the payment of
13 food, lodging, and meeting facility and beverage expenses as may be
14 necessary for seminars and receptions relating to familiarization
15 tours and tourism development. The expenses may be paid directly to
16 the contracting agency or business establishment. The Executive
17 Director of Oklahoma Tourism and Recreation Department shall provide
18 a monthly report of any such expenditures to the Oklahoma Tourism
19 and Recreation Commission.

20 K. The Oklahoma Tourism and Recreation Department is hereby
21 authorized to enter into contracts and agreements for the payment of
22 exhibitor fees and display space charges at expositions to promote
23 the Department's recreational facilities and the tourism and

1 recreation industry. The expenses may be paid directly to the
2 contracting agency or business establishment; provided that no
3 payment shall be made prior to the event unless it conveys a
4 property right to the state for future availability and use.

5 L. 1. The Oklahoma Highway Safety Office of the Department of
6 Public Safety is hereby authorized to enter into contracts and
7 agreements for the payment of food, lodging, and other authorized
8 expenses as may be necessary, to host, conduct, sponsor, or
9 participate in highway-safety-related conferences, workshops,
10 seminars, meetings, or training sessions. The payments shall be for
11 all persons in attendance, including, but not limited to, employees
12 of political subdivisions or employees of the state or federal
13 government. For purposes specified in this paragraph, only federal
14 highway safety funds may be used in accordance with federal
15 guidelines and regulations, and no appropriated state funds shall be
16 used.

17 2. The cost of food for persons attending any highway safety
18 conferences, workshops, seminars, meetings, and training sessions
19 that do not require overnight travel shall not exceed the total
20 daily rate as provided in the State Travel Reimbursement Act.

21 M. The Oklahoma Homeland Security Director and the State
22 Commissioner of Health are hereby authorized to enter into contracts
23 and agreements for the payment of food, lodging and other authorized

1 expenses as may be necessary to host, conduct, sponsor, or
2 participate in homeland security related conferences, meetings,
3 workshops, seminars, exercises or training sessions. The expenses
4 may be paid directly to the contracting agency or business
5 establishment.

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health and safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY AND HOMELAND
11 SECURITY, dated 2-15-05 - DO PASS, As Coauthored.