

3 Senate Bill No. 826
4 As Amended

5 SENATE BILL NO. 826 - By: LEFTWICH of the Senate and INGMIRE of the
6 House.

7 [state government - employee recognition program - OSBI -
8 reimbursable expenses - effective date -
9 emergency]

10 E IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 74 O.S. 2001, Section 150.8a, as
12 amended by Section 1, Chapter 140, O.S.L. 2004 (74 O.S. Supp. 2004,
13 Section 150.8a), is amended to read as follows:

14 Section 150.8a A. The Oklahoma State Bureau of Investigation
15 is authorized to establish an employee performance recognition
16 program that encourages outstanding job performance and productivity
17 within the Bureau. The Bureau is authorized to expend funds for:

18 1. The purchase of recognition awards to be presented to
19 members of work units or individual employees having exceptional job
20 performance records or other significant contributions to the
21 operation of the Bureau;

22 2. The purchase of recognition awards to be presented to
23 nonemployees of the Bureau in recognition of exemplary service or
24 assistance to the Bureau and law enforcement; and

1 3. A formal ceremony or banquet where the awards may be
2 presented.

3 B. Recognition awards may consist of distinctive wearing
4 apparel, service pins, plaques, writing pens, or other distinguished
5 awards of a value not exceeding One Hundred Fifty Dollars (\$150.00)
6 per award to recognize the achievement of the work unit or
7 individual employee. In addition to recognition awards, the Bureau
8 may establish an employee benefit program not exceeding Five
9 Thousand Dollars (\$5,000.00) each fiscal year for cash awards to
10 recognize outstanding performance in the workplace by Bureau
11 employees.

12 C. The Bureau may expend funds not exceeding Three Thousand
13 Dollars (\$3,000.00) each fiscal year for the purpose of distributing
14 commemorative items including, but not limited to, pens, patches,
15 and notebook portfolios bearing the seal or other identification of
16 the Bureau to nonemployees of the Bureau. The Bureau may expend
17 additional funds to provide awards and commemorative items
18 including, but not limited to, pens, patches and notebook portfolios
19 bearing the seal or other identification of the Bureau to
20 participants in OSBI Citizen Academies designed and held to foster
21 better public relations and to educate members of the community
22 about the Bureau's mission and operations.

1 SECTION 2. AMENDATORY 74 O.S. 2001, Section 500.2, as
2 amended by Section 11, Chapter 130, O.S.L. 2004 (74 O.S. Supp. 2004,
3 Section 500.2), is amended to read as follows:

4 Section 500.2 A. Officials and employees of the state,
5 traveling on authorized state business, may be reimbursed for
6 expenses incurred in such travel in accordance with the provisions
7 of the State Travel Reimbursement Act and existing statutes relating
8 to state travel. Persons who are not state employees, but who are
9 performing substantial and necessary services to the state which
10 have been directed or approved by the appropriate department
11 official shall enjoy the protection of the sovereign immunity of the
12 state to the same extent as a paid employee. Such persons may be
13 reimbursed for expenses incurred during authorized official travel
14 under these same statutory provisions, provided it is indicated on
15 the claim the person is not a state employee, a description of
16 services performed is entered, and the agency head by ~~his~~ approval
17 of the claim certifies such services were substantial and necessary,
18 and germane to the duties and functions of the reimbursing agency.
19 Travel expenses incurred by a person during the course of seeking
20 employment with a state agency, unless such travel is performed at
21 the request of the employing agency, shall not be considered
22 expenses incurred in performing substantial and necessary services

1 to the state and shall not be reimbursed under the provisions of the
2 State Travel Reimbursement Act.

3 B. The chief administrative officer of the Department of Public
4 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
5 State Bureau of Narcotics and Dangerous Drugs Control, the ~~Oklahoma~~
6 Military Department of the State of Oklahoma, the Department of
7 Corrections, the Department of Central Services, the Alcoholic
8 Beverage Laws Enforcement Commission, the ~~State Department of~~
9 ~~Agriculture~~ Oklahoma Department of Agriculture, Food, and Forestry,
10 the Department of Civil Emergency Management, and the State Fire
11 Marshal may arrange for and charge meals and lodging for a
12 contingent of state personnel moved into an area for the purpose of
13 preserving the public health, safety, or welfare or for the
14 protection of life or property. The cost for meals or lodging so
15 charged shall not exceed the amount authorized in the State Travel
16 Reimbursement Act. The chief administrative officer of each agency
17 involved in such an operation shall require the vendor furnishing
18 meals, lodging, or both meals and lodging to submit an itemized
19 statement for payment. When a claim for lodging is made for a
20 contingent of state personnel, individual members of the contingent
21 may not submit a claim for lodging. When a claim for meals is made
22 for a contingent of state personnel, individual members of the
23 contingent may not submit a claim for meals.

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

15 D. The Native American Cultural and Educational Authority is
16 hereby authorized to enter into contracts and agreements for the
17 payment of food, lodging, and meeting facility as may be necessary
18 to pursue the promotion of fund-raising, marketing, and development
19 of Native American educational programs and cultural projects, or to
20 sponsor luncheons, seminars, and receptions relating to Native
21 American educational, cultural, museum, and economic development
22 issues. Such expenses may be paid directly to the contracting

1 agency or business establishment. The Executive Director shall
2 provide a monthly report of expenditures to the Board.

3 E. For purposes of this section:

4 1. "State agency" means any constitutionally or statutorily
5 created state board, commission, or department, including the
6 Legislature and the Courts;

7 2. State agencies are authorized to enter into contracts and
8 agreements for the payment of food and lodging expenses as may be
9 necessary for employees or other persons who are performing
10 substantial and necessary services to the state by attending
11 official conferences, meetings, seminars, workshops, or training
12 sessions or in the performance of their duties. Such expenses may
13 be paid directly to the contracting agency or business
14 establishment, provided the meeting qualifies for overnight travel
15 for the employees and the cost for food and lodging for each
16 employee shall not exceed the total daily rate as provided in the
17 State Travel Reimbursement Act, ~~Section 500.1 et seq. of this title;~~
18 and

19 3. State agencies are authorized to enter into contracts and
20 agreements for the payment of conference registration expenses as
21 may be necessary for employees or other persons who are performing
22 substantial and necessary services to the state by attending
23 official conferences, meetings, seminars, workshops, or training

1 sessions. Such expenses may be paid directly to the contracting
2 agency or business establishment.

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

14 G. 1. The Administrator of the Office of Personnel Management
15 is hereby authorized to enter into contracts and agreements for the
16 payment of food, lodging, and other authorized expenses as may be
17 necessary to host, conduct, sponsor, or participate in conferences,
18 meetings, or training sessions. The Administrator may establish
19 accounts as necessary for the collection and distribution of funds,
20 including funds of sponsors and registration fees, related to such
21 conferences, meetings, and training sessions. Expenses incurred may
22 be paid directly to the contracting agency or business
23 establishment.

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

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

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

19 I. The Oklahoma Indigent Defense System is hereby authorized to
20 enter into contracts and agreements for the payment of lodging as
21 necessary for employees to carry out their duties in representing
22 any client whom the System has been properly appointed to represent.
23 Such expenses may be paid directly to the contracting agency or

1 business establishment. The cost for lodging for each employee
2 shall not exceed the daily rate as provided in the State Travel
3 Reimbursement Act.

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

13 K. The Oklahoma Tourism and Recreation Department is hereby
14 authorized to enter into contracts and agreements for the payment of
15 exhibitor fees and display space charges at expositions to promote
16 the Department's recreational facilities and the tourism and
17 recreation industry. The expenses may be paid directly to the
18 contracting agency or business establishment; provided that no
19 payment shall be made prior to the event unless it conveys a
20 property right to the state for future availability and use.

21 L. 1. The Oklahoma Highway Safety Office of the Department of
22 Public Safety is hereby authorized to enter into contracts and
23 agreements for the payment of food, lodging, and other authorized

1 expenses as may be necessary, to host, conduct, sponsor, or
2 participate in highway-safety-related conferences, workshops,
3 seminars, meetings, or training sessions. The payments shall be for
4 all persons in attendance, including, but not limited to, employees
5 of political subdivisions or employees of the state or federal
6 government. For purposes specified in this paragraph, only federal
7 highway safety funds may be used in accordance with federal
8 guidelines and regulations, and no appropriated state funds shall be
9 used.

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

14 M. 1. The Director of the Oklahoma State Bureau of
15 Investigation is hereby authorized to enter into contracts and
16 agreements for the payment of food, lodging and other authorized
17 expenses as may be necessary to host, conduct, sponsor or
18 participate in any conference, meeting, training session or
19 initiative to promote the mission and purposes of the Bureau. The
20 payments may be for all persons in attendance, including, but not
21 limited to, employees of political subdivisions or employees of the
22 state or federal government.

1 2. The cost of food for persons that do not require overnight
2 travel shall not exceed the total daily rate as provided in the
3 State Travel Reimbursement Act.

4 SECTION 3. This act shall become effective July 1, 2005.

5 SECTION 4. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-23-05 - DO
10 PASS, As Amended and Coauthored.