

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1581

By: Peters

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to state government; amending 74 O.S.  
9 2001, Section 500.2, as last amended by Section 82,  
10 Chapter 16, O.S.L. 2006 (74 O.S. Supp. 2006, Section  
11 500.2), which relates to the State Travel  
12 Reimbursement Act; authorizing certain contracts for  
13 state agencies; deleting certain redundant contract  
14 authorization; and providing an effective date.

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

16 SECTION 1. AMENDATORY 74 O.S. 2001, Section 500.2, as  
17 last amended by Section 82, Chapter 16, O.S.L. 2006 (74 O.S. Supp.  
18 2006, Section 500.2), is amended to read as follows:

19 Section 500.2 A. Officials and employees of the state,  
20 traveling on authorized state business, may be reimbursed for  
21 expenses incurred in such travel in accordance with the provisions  
22 of the State Travel Reimbursement Act and existing statutes relating  
23 to state travel. Persons who are not state employees, but who are  
24 performing substantial and necessary services to the state which  
have been directed or approved by the appropriate department

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

15 B. The chief administrative officer of the Department of Public  
16 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma  
17 State Bureau of Narcotics and Dangerous Drugs Control, the Military  
18 Department of the State of Oklahoma, the Department of Corrections,  
19 the Department of Central Services, the Alcoholic Beverage Laws  
20 Enforcement Commission, the Oklahoma Department of Agriculture,  
21 Food, and Forestry, the Oklahoma Department of Emergency Management,  
22 and the State Fire Marshal may arrange for and charge meals and  
23 lodging for a contingent of state personnel moved into an area for  
24 the purpose of preserving the public health, safety, or welfare or

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

11 C. The Oklahoma Department of Commerce, the Oklahoma Center for  
12 the Advancement of Science and Technology, and the Oklahoma  
13 Department of Agriculture, Food, and Forestry are hereby authorized  
14 to enter into contracts and agreements for the payment of food,  
15 lodging, meeting facility and beverage expenses as may be necessary  
16 for sponsoring seminars and receptions relating to economic  
17 development and science and technology issues. Such expenses may be  
18 paid directly to the contracting agency or business establishment.  
19 The Director of the Oklahoma Department of Commerce, the President  
20 of the Oklahoma Center for the Advancement of Science and  
21 Technology, and the Commissioner of Agriculture shall each provide a  
22 quarterly report of such expenditures to the Governor, the Speaker  
23 of the House of Representatives and the President Pro Tempore of the  
24 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 by attending  
19 official conferences, meetings, seminars, workshops, or training  
20 sessions or in the performance of their duties. Such expenses may  
21 be paid directly to the contracting agency or business  
22 establishment, provided the meeting qualifies for overnight travel  
23 for the employees and the cost for food and lodging for each  
24

1 employee shall not exceed the total daily rate as provided in the  
2 State Travel Reimbursement Act; ~~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 by attending  
7 official conferences, meetings, seminars, workshops, or training  
8 sessions. Such expenses may be paid directly to the contracting  
9 agency or business establishment; and

10 4. State agencies are authorized to enter into contracts and  
11 agreements for the payment of food and lodging expenses as may be  
12 necessary for employees attending an official course of instruction  
13 or training conducted or sponsored by any state agency. Expenses  
14 may be paid directly to the contracting agency or business  
15 establishment. The cost for food and lodging for each employee  
16 shall not exceed the total daily rate as provided in the State  
17 Travel Reimbursement Act.

18 F. State agencies are authorized to make direct purchases of  
19 commercial airline tickets for use by employees in approved out-of-  
20 state travel. Each claim or invoice submitted to the Director of  
21 State Finance for the payment of the purchase shall bear the airline  
22 identifying ticket number, the name of the airline, total cost of  
23 each ticket purchased, class of accommodation, social security  
24 number, and name of the employee for whom the ticket was purchased,

1 and shall be filed on claim forms as prescribed by the Director of  
2 State Finance. The employee shall sign an affidavit stating that  
3 the employee did use any direct purchase commercial airline ticket  
4 received for his or her approved out-of-state travel.

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

1 ~~and distribution of funds, including funds of sponsors and~~  
2 ~~registration fees, related to such conferences, meetings, and~~  
3 ~~training sessions. Any expenses incurred may be paid directly to~~  
4 ~~the contracting agency or business establishment.~~

5       ~~2.~~ 3. The cost of food for persons attending any conferences,  
6 meetings, and training sessions that do not require overnight travel  
7 shall not exceed the total daily rate as provided in the State  
8 Travel Reimbursement Act.

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

17       ~~J.~~ I. The Oklahoma Tourism and Recreation Department is hereby  
18 authorized to enter into contracts and agreements for the payment of  
19 food, lodging, and meeting facility and beverage expenses as may be  
20 necessary for seminars and receptions relating to familiarization  
21 tours and tourism development. The expenses may be paid directly to  
22 the contracting agency or business establishment. The Executive  
23 Director of Oklahoma Tourism and Recreation Department shall provide  
24

1 a monthly report of any such expenditures to the Oklahoma Tourism  
2 and Recreation Commission.

3 ~~K.~~ J. The Oklahoma Tourism and Recreation Department is hereby  
4 authorized to enter into contracts and agreements for the payment of  
5 exhibitor fees and display space charges at expositions to promote  
6 the Department's recreational facilities and the tourism and  
7 recreation industry. The expenses may be paid directly to the  
8 contracting agency or business establishment; provided that no  
9 payment shall be made prior to the event unless it conveys a  
10 property right to the state for future availability and use.

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

23 2. The cost of food for persons attending any highway safety  
24 conferences, workshops, seminars, meetings, and training sessions

1 that do not require overnight travel shall not exceed the total  
2 daily rate as provided in the State Travel Reimbursement Act.

3 ~~M.~~ L. 1. The Director of the Oklahoma State Bureau of  
4 Investigation is hereby authorized to enter into contracts and  
5 agreements for the payment of food, lodging and other authorized  
6 expenses as may be necessary to host, conduct, sponsor or  
7 participate in any conference, meeting, training session or  
8 initiative to promote the mission and purposes of the Bureau. The  
9 payments may be for all persons in attendance, including, but not  
10 limited to, employees of political subdivisions or employees of the  
11 state or federal government.

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

15 ~~N.~~ M. The Oklahoma Homeland Security Director is hereby  
16 authorized to enter into contracts and agreements for the payment of  
17 food, lodging and other authorized expenses as may be necessary to  
18 host, conduct, sponsor, or participate in homeland security related  
19 conferences, meetings, workshops, seminars, exercises or training  
20 sessions. The expenses may be paid directly to the contracting  
21 agency or business establishment.

22 SECTION 2. This act shall become effective November 1, 2007.

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24 51-1-7147 SAB 02/13/07