

1 ENGROSSED SENATE  
2 BILL NO. 1144

By: Sparks of the Senate

and

Schwartz of the House

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7 An Act relating to travel expenses and per diem  
8 amounts; amending 19 O.S. 2001, Section 165, as last  
9 amended by Section 1, Chapter 67, O.S.L. 2007 (19  
10 O.S. Supp. 2007, Section 165), which relates to  
11 travel allowances and expenses for county officers;  
12 increasing the amount of travel allowance for certain  
13 county officers; amending 63 O.S. 2001, Section 1058,  
14 which relates to the Oklahoma Housing Authorities  
15 Act; allowing certain entities to set per diem and  
16 mileage reimbursement amounts for Indian housing  
17 authorities; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2001, Section 165, as last  
amended by Section 1, Chapter 67, O.S.L. 2007 (19 O.S. Supp. 2007,  
Section 165), is amended to read as follows:

Section 165. A. In lieu of reimbursement for traveling  
expenses within their county each county commissioner and sheriff  
may receive a monthly travel allowance of ~~Six Hundred Dollars~~  
~~(\$600.00)~~ up to, but not more than, One Thousand Dollars  
(\$1,000.00). In lieu of the reimbursement for traveling expenses  
authorized by law for each county officer, each county assessor may  
receive a monthly travel allowance of up to, but not more than, Five

1 ~~Hundred Dollars (\$500.00)~~ Eight Hundred Dollars (\$800.00), and each  
2 county clerk, court clerk and county treasurer may receive a monthly  
3 travel allowance of up to, but not more than, ~~Four Hundred Dollars~~  
4 ~~(\$400.00)~~ Seven Hundred Dollars (\$700.00). Each such county officer  
5 may be subject to the penalty provided by Section 166 of this title  
6 for failure to attend the meetings specified in that section.

7 B. All newly elected county officials shall be reimbursed by  
8 their respective counties for any approved training provided before  
9 such official takes office. Such training expenses shall be  
10 reimbursed in January when such official takes office.

11 C. The provisions of this section and Sections 163 and 164 of  
12 this title shall not prevent the emergency use of a county-owned  
13 vehicle or county-owned equipment by a county officer when such  
14 county officer is acting on behalf of the county or when such use is  
15 related to county business. As used in this subsection, "emergency"  
16 means an unforeseen combination of circumstances or the resulting  
17 state that calls for immediate action.

18 SECTION 2. AMENDATORY 63 O.S. 2001, Section 1058, is  
19 amended to read as follows:

20 Section 1058. A. When a housing authority is authorized to  
21 transact business and exercise powers hereunder, five (5) persons  
22 shall be appointed as commissioners of the authority as follows:

23 1. In the case of a city, by the mayor with the advice and  
24 consent of the governing body; or

1           2. In the case of a county, by the board of county  
2 commissioners, and at least one of the persons so appointed shall be  
3 a tenant in a housing project under the jurisdiction of such  
4 authority.

5 The term of office of each commissioner shall be for three (3)  
6 years, except that of the commissioners first appointed one shall  
7 serve for a term of one (1) year and two shall serve for terms of  
8 two (2) years. All vacancies shall be filled for the unexpired  
9 term. Each commissioner shall qualify by taking the official oath  
10 of office prescribed by statute or ordinance for elected officials  
11 of the county or city, as the case may be.

12           B. A commissioner shall receive no compensation for his  
13 services, but may be entitled to the necessary expenses, including  
14 traveling expenses, incurred in the discharge of his duties or,  
15 except as otherwise provided in this subsection, receive a per diem  
16 payment of not to exceed Thirty-five Dollars (\$35.00) plus mileage  
17 as provided by the State Travel Reimbursement Act, Section 500.1 et  
18 seq. of Title 74, for expenses incurred in attending meetings of the  
19 housing authority. An Indian housing authority or the tribal  
20 government the authority serves may elect to set a different  
21 monetary amount for per diem and mileage payments than specified in  
22 this subsection for the commissioners of that Indian housing  
23 authority. Each commissioner shall hold office until his successor  
24 has been appointed and qualified. A certificate of appointment or

1 reappointment of any commissioner shall be filed with the authority  
2 and this certificate shall be conclusive evidence of the due and  
3 proper appointment of the commissioner.

4 C. The powers of each authority shall be vested in the  
5 commissioners thereof in office from time to time. A majority of  
6 the commissioners of an authority shall constitute a quorum for the  
7 purpose of conducting its business and exercising its powers and for  
8 all other purposes, notwithstanding the existence of any vacancies.  
9 Action may be taken by the authority upon a vote of a majority of  
10 the commissioners present, unless in any case the bylaws of the  
11 authority shall require a larger number. Meetings of the  
12 commissioners of an authority may be held anywhere within the area  
13 of operation of the authority or within any additional area in which  
14 the authority is authorized to undertake a project. Such meetings  
15 shall be held pursuant to the provisions of the Open Meeting Act,  
16 Section 301 et seq. of Title 25 of the Oklahoma Statutes.

17 D. The commissioners of an authority shall elect a chairman and  
18 vice chairman from among the commissioners. An authority may employ  
19 an executive director, legal and technical experts and such other  
20 officers, agents and employees, permanent and temporary, as it may  
21 require, and shall determine their qualifications, duties and  
22 compensation. An authority may delegate to one or more of its  
23 agents or employees such powers or duties as it may deem proper.

24 SECTION 3. This act shall become effective November 1, 2008.

1 Passed the Senate the 11th day of March, 2008.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2008.

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9 Presiding Officer of the House  
10 of Representatives