

1 ENGROSSED SENATE
2 BILL NO. 1855

By: Garrison of the Senate

and

McDaniel (Randy) of the
House

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7 [public finance - agency clearing accounts -
8 Oklahoma Tourism and Recreation Department -
9 effective date -

10 emergency]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 62 O.S. 2001, Section 7.1, is
15 amended to read as follows:

16 Section 7.1 A. There is hereby created in the official
17 depository in the State Treasury an agency clearing account for each
18 state officer, department, board, commission, institution or agency
19 of the state, hereinafter referred to collectively as state
20 agencies. An agency special account established under Section 7.2
21 of this title may be used for the purposes of an agency clearing
22 account.

23 B. It shall be the duty of each state agency, officer or
24 employee, to deposit in the agency clearing account, or agency

1 special account, established under Section 7.2 of this title, all
2 monies of every kind, including, but not limited to:

3 1. Tax revenues;

4 2. Receipts from licenses, examinations, per diem and all other
5 reimbursements, fees, permits, fines, forfeitures and penalties; and

6 3. Income from money and property, grants and contracts,
7 refunds, receipts, reimbursements, judgments, sales of materials and
8 services of employees, and nonrevenue receipts, received by a state
9 agency, officer or employee by reason of the existence of and/or
10 operation of a state agency.

11 C. All such monies collected pursuant to this section shall be
12 deposited as follows in the agency clearing account or agency
13 special account established therefor:

14 1. Receipts of One Hundred Dollars (\$100.00) or more shall be
15 deposited on the same banking day as received; and

16 2. Receipts of less than One Hundred Dollars (\$100.00) may be
17 held until accumulated receipts equal One Hundred Dollars (\$100.00)
18 or for five (5) business days, whichever occurs first, and shall
19 then be deposited no later than the next business day.

20 a. Each state agency that has custody of receipts of less
21 than One Hundred Dollars (\$100.00) shall provide
22 adequate safekeeping of such receipts; and

23 b. No disbursements shall be made from such receipts
24 prior to this deposit; and

1 such check, draft, order or voucher for payment a second time.
2 Unless otherwise provided by law, such fee shall be deposited to the
3 revolving fund of the state agency to which the check, draft, order
4 or voucher was issued. If no revolving fund exists for the state
5 agency, then such fee shall be deposited to the General Revenue
6 Fund. The State Treasurer shall not accept for deposit to any
7 agency clearing account, or any agency special account, created
8 pursuant to the provisions of Section 7.2 of this title, any
9 warrant, check, order or voucher drawn against any state fund or
10 account in favor of any individual or other person except the state
11 officer, department, institution or agency for which account or fund
12 the deposit is made, or a bona fide student enrolled at any of the
13 state institutions of higher learning when such warrant, check,
14 order or voucher is endorsed to the institution as payment of any
15 fees or other accounts due such institution.

16 E. ~~At~~ 1. Except as provided in paragraph 2 of this subsection,
17 at least once each month each state agency shall transfer monies
18 deposited in agency clearing accounts to the various funds or
19 accounts, subdivisions of the state, or functions as may be provided
20 by statute and no money shall ever be disbursed from the agency
21 clearing account for any other purpose, except in refund of
22 erroneous or excessive collections and credits. ~~Provided, however,~~
23 ~~that state parks and lodges under the control of the Oklahoma~~
24 ~~Tourism and Recreation Department and district~~

1 2. District offices under the control of the Corporation
2 Commission shall be permitted to make deposit of receipts on a
3 monthly basis, provided that such receipts must be deposited within
4 the month received or when such receipts equal or exceed Five
5 ~~Hundred Dollars (\$500.00) for state parks and lodges under the~~
6 ~~control of the Oklahoma Tourism and Recreation Department, or One~~
7 ~~Hundred Dollars (\$100.00) for district offices under the control of~~
8 ~~the Corporation Commission, whichever first occurs. The Oklahoma~~
9 Tourism and Recreation Department and entities under its control
10 shall be required to make deposit of receipts on a weekly basis,
11 provided that such receipts must be deposited within seven (7)
12 calendar days from the date received or when such deposits equal or
13 exceed Five Hundred Dollars (\$500.00), whichever first occurs.

14 F. Funds and revenues of the Oklahoma Municipal Power
15 Authority, the Grand River Dam Authority, the Oklahoma Ordnance
16 Works Authority and the Midwestern Oklahoma Development Authority
17 are exempt from the requirements of this section.

18 G. Monies used for investment purposes by the Oklahoma
19 Firefighters Pension and Retirement System, the Oklahoma Police
20 Pension and Retirement System, the Uniform Retirement System for
21 Justices and Judges, the Oklahoma Law Enforcement Retirement System,
22 the Oklahoma Public Employees Retirement System, the Teachers'
23 Retirement System of Oklahoma, the Oklahoma State Regents for Higher
24 Education, the State and Education Employees Group Insurance Board

1 and the Commissioners of the Land Office are exempt from the
2 requirements of this section, and shall be placed with the
3 respective custodian bank or trust company.

4 SECTION 2. This act shall become effective July 1, 2008.

5 SECTION 3. 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 Passed the Senate the 4th day of March, 2008.

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12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2008.

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17 Presiding Officer of the House
18 of Representatives