

THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2008

House Bill No. 2242

HOUSE BILL NO. 2242 - By: INGMIRE of the House and CRUTCHFIELD of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 500.2, as last amended by Section 1, Chapter 256, O.S.L. 2007 (74 O.S. Supp. 2007, Section 500.2), which relates to the State Travel Reimbursement Act; authorizing the State Regents for Higher Education to enter into certain contracts and agreements; authorizing the State Regents to establish certain accounts; limiting certain costs; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 74 O.S. 2001, Section 500.2, as last amended by
2 Section 1, Chapter 256, O.S.L. 2007 (74 O.S. Supp. 2007, Section 500.2), is amended to
3 read as follows:
4 Section 500.2 A. Officials and employees of the state, traveling on authorized state
5 business, may be reimbursed for expenses incurred in such travel in accordance with the
6 provisions of the State Travel Reimbursement Act and existing statutes relating to state
7 travel. Persons who are not state employees, but who are performing substantial and
8 necessary services to the state which have been directed or approved by the appropriate
9 department official shall enjoy the protection of the sovereign immunity of the state to
10 the same extent as a paid employee. Such persons may be reimbursed for expenses
11 incurred during authorized official travel under these same statutory provisions,

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

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 When a claim for meals is made for a contingent of state personnel, individual members
2 of the contingent may not submit a claim for meals.

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

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

22 E. For purposes of this section:

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

3 2. State agencies are authorized to enter into contracts and agreements for the
4 payment of food and lodging expenses as may be necessary for employees or other
5 persons who are performing substantial and necessary services to the state by attending
6 official conferences, meetings, seminars, workshops, or training sessions or in the
7 performance of their duties. Such expenses may be paid directly to the contracting
8 agency or business establishment, provided the meeting qualifies for overnight travel for
9 the employees and the cost for food and lodging for each employee shall not exceed the
10 total daily rate as provided in the State Travel Reimbursement Act;

11 3. State agencies are authorized to enter into contracts and agreements for the
12 payment of conference registration expenses as may be necessary for employees or other
13 persons who are performing substantial and necessary services to the state by attending
14 official conferences, meetings, seminars, workshops, or training sessions. Such expenses
15 may be paid directly to the contracting agency or business establishment; and

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

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

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

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

21 H. 1. The Commissioner of the Department of Mental Health and Substance Abuse
22 Services is hereby authorized to enter into contracts and agreements for the payment of

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

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

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

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

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

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

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

20 M. 1. The Director of the Oklahoma State Bureau of Investigation is hereby
21 authorized to enter into contracts and agreements for the payment of food, lodging and
22 other authorized expenses as may be necessary to host, conduct, sponsor or participate in

1 any conference, meeting, training session or initiative to promote the mission and
2 purposes of the Bureau. The payments may be for all persons in attendance, including,
3 but not limited to, employees of political subdivisions or employees of the state or federal
4 government.

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

7 N. The Oklahoma Homeland Security Director is hereby authorized to enter into
8 contracts and agreements for the payment of food, lodging and other authorized expenses
9 as may be necessary to host, conduct, sponsor, or participate in homeland security
10 related conferences, meetings, workshops, seminars, exercises or training sessions. The
11 expenses may be paid directly to the contracting agency or business establishment.

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

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

1 P. 1. The State Regents for Higher Education is hereby authorized to enter into
2 contracts and agreements for the payment of food, lodging, and other authorized
3 expenses as may be necessary to host, conduct, sponsor, or participate in conferences,
4 meetings, or training sessions. The State Regents for Higher Education may establish
5 accounts as necessary for the collection and distribution of funds, including funds of
6 sponsors and registration fees, related to such conferences, meetings, and training
7 sessions. Any expenses incurred may be paid directly to the contracting agency or
8 business establishment.

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

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

13 SECTION 3. It being immediately necessary for the preservation of the public
14 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
15 this act shall take effect and be in full force from and after its passage and approval.

16 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 02-21-08 - DO
17 PASS, As Coauthored.