

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1897

By: Wilson

4
5 AS INTRODUCED

6
7 An An Act relating to public finance; enacting the
8 Oklahoma State Finance Act; providing short title;
9 amending 62 O.S. 2001, Section 2, which relates to
10 county tax accounts; clarifying language; making
11 language gender neutral: amending 62 O.S. 2001,
12 Section 7.2, as amended by Section 1, Chapter 105,
13 O.S.L. 2002 (62 O.S. Supp. 2007, Section 7.2), which
14 relates to the Special Agency Account Board; updating
15 citations and references; amending 62 O.S. 2001,
16 Section 7.3, which relates to state agency accounts;
17 updating references; amending 62 O.S. 2001, Section
18 7.5, which relates to classification of funds;
19 updating references; amending 62 O.S. 2001, Section
20 7.6, which relates to the Payroll Fund; updating
21 references; clarifying language; amending 62 O.S.
22 2001, Section 7.10, as last amended by Section 1,
23 Chapter 49, O.S.L. 2005 (62 O.S. Supp. 2007, Section
24 7.10), which relates to voluntary payroll deductions;
clarifying language; updating citation; amending 62
O.S. 2001, Section 7.13, which relates to annual
financial reports; updating references; amending 62
O.S. 2001, Section 9.1, which relates to allocation
of state revenues; clarifying language; specifying
scope of limitation on certain appropriations;
amending 62 O.S. 2001, Section 9.10, which relates to
appropriations to public entities; updating
reference; amending 62 O.S. 2001, Sections 10.1 and
10.3, which relate to General Revenue Cash-flow
Reserve Fund; updating references and citations;
amending 62 O.S. 2001, Sections 41.2, 41.3, 41.4,
41.4a, 41.4b, 41.4c, 41.4d, 41.5, 41.5g, as amended
by Section 2, Chapter 148, O.S.L. 2007, 41.6, 41.7b,
41.7c, 41.8, 41.9, 41.10, 41.11, 41.13, 41.13a,
41.14, 41.15, 41.16, 41.16a, 41.17, 41.18, 41.19,
41.21, as amended by Section 1, Chapter 150, O.S.L.
2002, 41.23, 41.26, 41.27, 41.29, as amended by

1 Section 1, Chapter 301, O.S.L. 2003, 41.29e, as last
2 amended by Section 5, Chapter 355, O.S.L. 2007,
3 41.30, 41.31, 41.32, 41.33, 41.34, 41.39, 41.40,
4 41.41, 41.42, and 41.46 (62 O.S. Supp. 2007, Sections
5 41.5g, 41.21, 41.29 and 41.29e), which relate to the
6 Oklahoma Budget Law of 1947; updating references and
7 citations; making language gender neutral; updating
8 and clarifying language; deleting division within the
9 Office of State Finance; adding and deleting
10 definitions; deleting obsolete language; modifying
11 duties of the Division of Central Accounting and
12 Reporting within the Office of State Finance;
13 deleting requirement of a printed budget presentation
14 to the Legislature; modifying procedure for payment
15 of certain services and operations; providing
16 exemptions; authorizing the Director of the Office of
17 State Finance to specify form of agency budgets;
18 clarifying limitation on revenue allocations;
19 clarifying procedure for allotting certain monies;
20 modifying procedures concerning budget transfers;
21 clarifying certain budget procedures involving the
22 Oklahoma State Regents for Higher Education;
23 clarifying procedures for payrolls; clarifying
24 procedures for paying claims; modifying surety bond
requirement; amending 74 O.S. 2001, Section 34, which
relates to replacement warrants; updating references;
clarifying procedures lost or destroyed warrants;
amending 74 O.S. 2001, Section 86.1, which relates to
payment of vendor invoices; updating reference;
updating language; deleting obsolete language;
clarifying duties, responsibilities, and procedures
by deleting present language and restating the
language in new law; repealing 62 O.S. 2001, Sections
41.1 and 41.37, which relate to the Oklahoma Budget
Law of 1947; providing for codification; providing
for recodification; providing an effective date; and
declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34 of Title 62, unless there is
3 created a duplication in numbering, reads as follows:

4 Section 34 et seq. of Title 62 of the Oklahoma Statutes shall be
5 known and may be cited as the "Oklahoma State Finance Act".

6 SECTION 2. AMENDATORY 62 O.S. 2001, Section 2, is
7 amended to read as follows:

8 Section 2. A. The official tax accounts with the several
9 counties of the state shall be kept by the State Auditor and
10 Inspector, which said accounts shall exhibit the true amount of each
11 class and year's taxes charged to each of the several counties,
12 together with the amounts received from each county, and the balance
13 due therefrom; provided, that all taxes of each of the several
14 counties that shall be delinquent for four (4) or more years may be
15 consolidated by classes into one account.

16 B. As a means of accurately establishing the ad valorem tax
17 accounts herein provided for, it is hereby made the duty of the
18 State Board of Equalization to certify annually to the State Auditor
19 and Inspector, within five(5) days after the same shall have been
20 ascertained by such Board for the year, the state equalized value of
21 all property assessed ad valorem in each of the counties of the
22 state, the rate of levy for the year, together with the amount of ad
23 valorem taxes assessed against the property in each of the several
24 counties of the state for the year.

1 C. For the purpose of maintaining an accurate check and balance
2 on the accounts between the state and the several counties, it shall
3 be the duty of the county clerk of each county to make and file with
4 the State Auditor and Inspector on or before the third Monday
5 following the close of the semiannual periods ending June 30th, and
6 December 31st, of each year, a certified report and statement in
7 writing showing by years and by classes the amount of all taxes due
8 the state, or its fund or funds under its management at close of
9 such periods, together with the dates and amounts of all payments
10 into the State Treasury during such periods, which said statement
11 when so filed with the State Auditor and Inspector shall become a
12 permanent and official record ~~of his office.~~

13 D. It shall be the duty of the State Auditor and Inspector, and
14 ~~he~~ the State Auditor and Inspector is hereby given full power and
15 authority to reconcile and adjust all tax accounts with the several
16 counties and to require a proper accounting for all revenue laid and
17 levied, or required to be laid and levied, against all properties
18 and subjects selected for taxation by the state in the respective
19 counties, together with the amount thereof collected for or on
20 behalf of the state by any county or any officer thereof.

21 SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.7b, is
22 amended to read as follows:

23 Section 41.7b A. ~~In accordance with duties assigned to the~~
24 ~~State Board of Equalization in Section 23 of Article X of the~~

1 ~~Constitution of the State of Oklahoma, agencies~~ Agencies responsible
2 for the collection of monies deposited to the credit of the General
3 Revenue Fund and each of the Special Revenue Funds shall, upon
4 request of the Director of the Office of State Finance, provide the
5 Director ~~in the manner and form established by the Director,~~ an
6 itemized estimate of funds expected to accrue to the General Revenue
7 Fund and each of the Special Revenue Funds for the ensuing fiscal
8 year in the manner and form established by the Director, in
9 accordance with the duties assigned to the State Board of
10 Equalization in Section 23 of Article X of the Oklahoma
11 Constitution. Each of these agencies must also provide to the
12 Director ~~of State Finance,~~ as requested, a written explanation of
13 the methodology and relevant assumptions used in developing the
14 revenue estimates submitted ~~in compliance with this section,~~ a
15 statement of the prior ~~year~~ year's actual revenue collections and a
16 projection of the current ~~year~~ year's revenue collections.

17 B. In addition to providing the information listed above, the
18 Oklahoma Tax Commission shall also provide to the Director of the
19 Office of State Finance a comprehensive economic report no later
20 than two weeks prior to each of the meetings of the State Board of
21 Equalization pursuant to paragraphs 1 and 3 of Section 23 of Article
22 X of the Constitution of the State of Oklahoma. ~~The~~ Each report
23 shall include a summary of recent national and state economic
24 performance and a forecast of national and state economic

1 performance for both the current and the upcoming fiscal ~~year~~ years.
2 ~~This report~~ These reports shall be considered a basis upon which the
3 itemized revenue estimates of the Commission are developed. The
4 report shall include an analysis of the relative accuracy of the
5 economic ~~foreecast~~ forecasts on which the previous and current fiscal
6 years' revenue estimates were based.

7 C. The Tax Commission shall also provide all estimates,
8 explanations, statements, projections, reports and other documents
9 required by this section to the President Pro Tempore of the Senate
10 and the Speaker of the House of Representatives at the same time
11 that such documents are provided to the Director of the Office of
12 State Finance.

13 SECTION 4. AMENDATORY 62 O.S. 2001, Section 41.3, is
14 amended to read as follows:

15 Section 41.3 A. There is hereby created in the Executive
16 Department, the Office of State Finance which shall consist of a
17 Division of the Budget, a Division of Central Accounting and
18 Reporting, and an Information Services Division, ~~and an Oklahoma~~
19 ~~Financial Information System Management Division~~ all under the
20 administrative control of the Director of the Office of State
21 Finance and directly responsible to ~~him~~ the Director.

22 ~~The terms "State Budget Director" or "Budget Director" appearing~~
23 ~~in the Oklahoma Statutes shall mean "Director of State Finance".~~

24

1 ~~The terms "State Budget Office", "Division of the Budget",~~
2 ~~"Division of Central Accounting and Reporting", "Information~~
3 ~~Services Division", or "Oklahoma Financial Information System~~
4 ~~Management Division" appearing in the Oklahoma Statutes shall mean~~
5 ~~the Office of State Finance or the divisions thereof.~~

6 B. The terms "state agency" or "agency", when used in the
7 Oklahoma State Finance Act, shall mean any department, division,
8 bureau, board, commission, agency, institution or function of this
9 state.

10 SECTION 5. AMENDATORY 62 O.S. 2001, Section 41.40, is
11 amended to read as follows:

12 Section 41.40 There is hereby created in the State Treasury a
13 Revolving Fund for the ~~State Budget Office~~ Office of State Finance.
14 The ~~said~~ Revolving Fund shall consist of any monies received for
15 rental of machine metered time, sale of scrap cards and paper, and
16 any other miscellaneous receipts. The Revolving Fund herein created
17 may be expended for the same purposes and in the same manner as
18 appropriated funds.

19 SECTION 6. AMENDATORY 62 O.S. 2001, Section 41.2, is
20 amended to read as follows:

21 Section 41.2 The Governor shall appoint a Director of the
22 Office of State Finance, by and with the consent of the Senate, who
23 shall hold office at the pleasure of the Governor and shall continue
24 to serve until ~~his~~ a successor is duly appointed and is qualified.

1 SECTION 7. AMENDATORY 62 O.S. 2001, Section 41.4, is
2 amended to read as follows:

3 Section 41.4 A. The Director of the Office of State Finance
4 shall have the power, and ~~it shall be his~~ duty under the direction
5 of the Governor to: ~~(1) to prepare~~

6 1. Prepare the budget document and assist in the drafting of
7 legislation to make it effective, ~~(2) to make;~~

8 2. Make field surveys and studies of governmental agencies,
9 looking toward economy and greater efficiency, ~~(3) to make;~~

10 3. Make allotments to control expenditures, ~~(4) to authorize;~~

11 4. Authorize transfers of appropriation authorized by law, ~~(5)~~
12 ~~to study;~~

13 5. Study accounting and other reports rendered by the Central
14 Accounting and Reporting Division, ~~(6) to enter;~~

15 6. Enter into agreements with the United States Secretary of
16 the Treasury for the purpose of implementing ~~the Cash Management~~
17 ~~Improvement Act of 1990 (Public Law 101-453), and (7) to aid federal~~
18 law; and

19 7. Aid the Governor in the economical management of state
20 affairs.

21 B. In addition to ~~his~~ other duties, the Director of the Office
22 of State Finance shall, upon request, advise and consult with
23 members of the Legislature and legislative committees concerning
24 ~~income~~ revenue and expenditures of state agencies.

1 SECTION 8. AMENDATORY 62 O.S. 2001, Section 41.23, is
2 amended to read as follows:

3 Section 41.23 ~~The Budget Director~~ Director of the Office of
4 State Finance, with the approval of the Governor, shall employ and
5 make the appointment of such experts and assistants as may be
6 necessary to execute the purposes of ~~this act~~ the Oklahoma State
7 Finance Act. No appointments to positions shall be made in excess
8 of ~~the position~~ those positions authorized by ~~act of the~~ the Legislature
9 for the Division of the Budget ~~and,~~ the Division of Central
10 Accounting and Reporting and the Information Services Division.

11 SECTION 9. AMENDATORY 62 O.S. 2001, Section 41.42, is
12 amended to read as follows:

13 Section 41.42 ~~Effective July 1, 1986, the~~ The position of
14 Public Information Officer within the Office of State Finance shall
15 ~~become~~ be subject to the provisions of the Merit System of Personnel
16 Administration prescribed by the Oklahoma Personnel Act, Section
17 840.1 et seq. of Title 74 of the Oklahoma Statutes, and the rules
18 promulgated thereunder. ~~The incumbent employee shall be granted~~
19 ~~permanent status in the classified service without regard to~~
20 ~~qualifications or examinations, in the class to which the position~~
21 ~~is allocated by the Office of Personnel Management.~~

22 SECTION 10. AMENDATORY 62 O.S. 2001, Section 7.5, is
23 amended to read as follows:

24

1 Section 7.5 The Director of the Office of State Finance is
2 hereby authorized and directed to classify funds in the State
3 Treasury and to prescribe the manner of issuance of checks or
4 warrants against each class of funds to accomplish the purpose for
5 which each such fund was created, ~~and the~~. The State Treasurer
6 shall be, and is, required to keep ~~his~~ fund accounts in accordance
7 with such classification. The Director of the Office of State
8 Finance shall group funds of a similar nature in a series of
9 classes. Accounting entities otherwise designated as funds, by
10 other provisions of law, may be+ retained, deactivated, merged with
11 other such entities or identified as accounts within funds as the
12 Director of the Office of State Finance determines to be appropriate
13 for purposes of the modernization and maintenance of the fund
14 structure of the state.

15 SECTION 11. AMENDATORY 62 O.S. 2001, Section 7.13, is
16 amended to read as follows:

17 Section 7.13 The Director of the Office of State Finance shall
18 cause to be prepared a comprehensive annual financial report, in
19 accordance with generally accepted accounting principles for
20 governments, and shall further have the general purpose financial
21 statements included in the comprehensive annual financial report
22 audited in accordance with generally accepted auditing standards.
23 The Director ~~of State Finance~~ is hereby authorized to establish
24 procedures and guidelines which are consistent with those issued by

1 the Government Accounting Standards Board, and which shall be
2 followed by state agencies, colleges and universities and other
3 entities who are included in the report, for purposes of
4 establishing consistent application of accounting principles and to
5 ensure the timeliness of the report.

6 SECTION 12. AMENDATORY 62 O.S. 2001, Section 41.5, is
7 amended to read as follows:

8 Section 41.5 ~~On July 1, 1947, the~~ The Division of Central
9 Accounting and Reporting shall ~~take over the~~ be responsible for
10 accounting and auditing duties ~~now performed by the claim auditing~~
11 ~~and bookkeeping sections of the Office of Public Affairs,~~ and the
12 auditing and settlement of purchase orders, contracts, claims,
13 payrolls, and other obligations ~~now performed by the Pre-Audit~~
14 ~~Division and the Bookkeeping and Accounting Division of the present~~
15 ~~State Auditor and Inspector.~~

16 ~~By July 1, 1947, the~~ The Division of Central Accounting and
17 Reporting shall prepare uniform budget and accounting
18 classifications for all state ~~departments, boards, commissions,~~
19 ~~institutions, and agencies now delegated to the Governor and there~~
20 ~~shall also be transferred to this division the work of installing~~
21 ~~modern~~ and shall implement appropriate accounting methods and
22 systems in the state departments and institutions now delegated to
23 ~~the State Auditor and Inspector~~ state agencies. ~~The positions now~~
24 ~~authorized for this work in the several offices and the equipment~~

1 ~~now used by the personnel of these offices, on July 1, 1947, shall~~
2 ~~be transferred to the Division of Central Accounting and Reporting~~
3 ~~within the Executive Department.~~ The Division of Central Accounting
4 and Reporting shall:

5 1. Settle all claims payable by this state; ~~and~~

6 2. Verify distribution of all taxes and other dues collected
7 for local governments; ~~and~~

8 3. Superintend the recovery of all debts due state government;
9 ~~and~~

10 4. Keep the central budget and proprietary accounts of the
11 state government; ~~and~~

12 5. Prepare and issue financial and accounting reports, at least
13 quarterly; ~~and~~

14 6. Prescribe all forms, systems, and procedure for
15 administering accounting for the several departments and
16 establishments; ~~and~~

17 7. At the request of a state agency, assist in establishing
18 standards, policies and procedures that ensure a strong and
19 effective system of internal controls and regular monitoring of
20 them;

21 8. Certify to the Director of State Finance for his approval,
22 each and every requisition by a duly accredited disbursing officer
23 for an advance of funds from the State Treasury to the Director of
24 the Office of State Finance for approval; and

1 ~~8.~~ 9. Establish a pre-audit system of settling claims, ~~either~~
2 for the entire government of this state, ~~or~~ and for any bureaus or
3 ~~departments thereof, according to~~ state agencies in which system
4 vouchers supporting proposed payments ~~shall be~~ are submitted to the
5 ~~Director~~ Office of State Finance for audit and settlement.

6 SECTION 13. AMENDATORY 62 O.S. 2001, Section 41.5g, as
7 amended by Section 2, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2007,
8 Section 41.5g), is amended to read as follows:

9 Section 41.5g The Director of the Office of State Finance
10 shall, by appropriate notification, advise agencies of the state
11 when applications of the Integrated Central Systems are available
12 for their use. Thereafter, each agency of the state shall submit
13 transactions to the Office of State Finance, the Office of Personnel
14 Management, and the Department of Central Services in the manner and
15 format required to effectuate the utilization of the Integrated
16 Central Systems for all transactions for which an application is
17 available.

18 Provided that nothing in this section shall be construed as to
19 administratively place agencies currently exempt from any provisions
20 of the ~~Budget Act of 1947~~ Oklahoma State Finance Act, the Central
21 Purchasing Act, or the Oklahoma Personnel Act under the purview of
22 such provisions.

23 SECTION 14. AMENDATORY 62 O.S. 2001, Section 41.31, is
24 amended to read as follows:

1 Section 41.31 It shall be the duty of the ~~Budget Director~~
2 Director of the Office of State Finance, after making a complete
3 detailed study of each ~~department, institution, board, commission~~
4 ~~and~~ state agency, to prepare the budget under the supervision and
5 direction of the Governor.

6 SECTION 15. AMENDATORY 62 O.S. 2001, Section 41.30, is
7 amended to read as follows:

8 Section 41.30 ~~The departments, institutions, boards,~~
9 ~~commissions and agencies of the state, upon request~~ Each state
10 agency shall immediately furnish the ~~Budget Director in such form as~~
11 ~~he may require,~~ Director of the Office of State Finance any
12 information ~~desired by him in his relation with~~ concerning their
13 respective affairs or activities, upon request and in such form as
14 directed.

15 SECTION 16. AMENDATORY 62 O.S. 2001, Section 41.29, as
16 amended by Section 1, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2007,
17 Section 41.29), is amended to read as follows:

18 Section 41.29 A. ~~Except as provided for in subsection B of~~
19 ~~this section, on~~ On the first day of October preceding each regular
20 session of the Legislature, each ~~of the several state departments,~~
21 ~~bureaus, divisions, officers, commissions, and institutions~~
22 appropriated state agency, including those created or established
23 pursuant to constitutional provisions, ~~and other spending agencies~~
24 shall report to the Director of the Office of State Finance and the

1 Chair and Vice Chair of the Legislative Oversight Committee on State
2 Budget Performance, ~~on official forms furnished for such purpose~~ an
3 itemized request showing the amount needed for the ensuing fiscal
4 year beginning with the first day of July.

5 B. The ~~official~~ forms which must be used in making these
6 reports shall be approved ~~and furnished~~ by the Director of the
7 Office of State Finance and the Legislative Oversight Committee on
8 State Budget Performance₇.

9 C. The forms shall be uniform, and shall clearly designate the
10 ~~kind of~~ information to be given ~~on the reports~~. ~~Information~~

11 D. The information provided shall include, but not be limited
12 to:

13 1. A budget analysis of existing and proposed programs
14 utilizing zero-based budgeting techniques. Such analysis shall be
15 included as a part of the estimate of funds needed;

16 2. A statement listing any other state, federal or local
17 agencies which administer a similar or cooperating program and an
18 outline of the interaction among such agencies;

19 3. A statement of the statutory authority for the missions and
20 quantified objectives of each program;

21 4. A description of the groups of people served by each program
22 in the agency;

23 5. A quantification of the need for the program;

24

1 6. A description of the tactics which are intended to
2 accomplish each objective;

3 7. A list of quantifiable program outcomes which measure the
4 efficiency and effectiveness of each program;

5 8. A ranking of these programs by priority;

6 9. Actual program expenditures for the current fiscal year and
7 prior fiscal years and the number of personnel required to
8 accomplish each program; and

9 10. Revenues expected to be generated by each program, if any.

10 ~~Spending~~ E. These appropriated agencies shall make an itemized
11 estimate of needs and request for funds for the ensuing fiscal year
12 and an estimate of the revenues from all sources to be received by
13 the agency during the ensuing fiscal year.

14 F. The Director of the Office of State Finance shall submit to
15 the Governor and the Legislative Oversight Committee on State Budget
16 Performance no later than the fifth day of October a complete list
17 of all spending agencies which ~~fail~~ have failed to submit budgets by
18 October 1, ~~pursuant to the provisions of this section.~~

19 ~~B. 1.~~ G. The reports required by this section shall include an
20 itemized listing of outstanding capital lease debt and estimated
21 capital lease needs for the ensuing fiscal year, and shall be
22 provided on ~~official~~ forms ~~furnished~~ prescribed by the Director of
23 the Office of State Finance ~~for this purpose.~~

24

1 ~~2-~~ H. For the purposes of this section, "capital lease" means a
2 lease-purchase agreement which provides an option for the State of
3 Oklahoma or its agencies to purchase property, including personal
4 and real property, which is the subject thereof and/or a lease
5 agreement that provides an option for the State of Oklahoma or its
6 agencies to lease such property, which is the subject thereof, at a
7 nominal annual amount, after a period in which leased property is
8 rented at fair market value.

9 SECTION 17. AMENDATORY 62 O.S. 2001, Section 41.34, is
10 amended to read as follows:

11 Section 41.34 Immediately after the beginning of each regular
12 session of the Legislature, the Governor shall submit to the
13 presiding officer of each house, ~~printed~~ copies of the budget based
14 upon the investigations and conclusions of the Division of the
15 Budget. Such budget document shall contain a complete and itemized
16 plan of all proposed expenditures for each agency or undertaking
17 classified according to the various cabinet areas designated by the
18 Governor or otherwise created by law. Such expenditures shall be
19 further classified by function, character and object, and in the
20 event such proposed expenditures exceed the estimate made by the
21 State Board of Equalization, the Governor shall accompany the budget
22 document with a proposal of new revenue raising measures sufficient
23 to effect a balanced budget for ~~each year in~~ the ensuing fiscal
24 year.

1 SECTION 18. AMENDATORY 62 O.S. 2001, Section 41.33, is
2 amended to read as follows:

3 Section 41.33 The budget shall be submitted to the Legislature
4 ~~in printed form. Such budget and~~ shall be in two parts: ~~(1) a~~

5 1. A budget message:

6 a. outlining the fiscal policy of the state for the
7 ~~biennium~~ fiscal year and describing the important
8 features of the budget ~~plan,~~

9 b. giving a summary of the budget setting forth aggregate
10 figures of proposed revenues and expenditures and the
11 balanced relations between the proposed revenues and
12 expenditures and the total expected income and other
13 means of financing the budget compared with the
14 corresponding figures for the preceding ~~biennium,~~
15 fiscal year,

16 c. including explanatory schedules classifying proposed
17 expenditures by organization units, objects and
18 funds,

19 d. giving estimated statements of assets and liabilities
20 as of the close of the preceding ~~biennium~~ fiscal year
21 and of the budget ~~biennium,~~ year,

22 e. explaining any proposed major increases in revenue
23 from any existing source or any new source of revenue
24 proposed, and

1 ~~Legislature, judiciary, or for expenses of holding elections, no~~
2 monies so appropriated shall be available for payments for ~~personal~~
3 ~~service, or maintenance and operation, or maintenance and operation~~
4 ~~including personal service, except specified appropriations for~~
5 ~~temporary services or day labor~~ such expenses until a schedule of
6 positions and salaries and the amounts to be available for the
7 ~~expenses of maintenance and operation~~ shall have been approved by
8 the Director of the Budget Office of State Finance and a ~~certificate~~
9 ~~of such approval filed with the request officer of the spending~~
10 ~~agency concerned and the Division of Central Accounting and~~
11 Reporting posted to the state accounting system. The provisions of
12 this subsection shall not apply to such appropriations for the
13 Legislature or judiciary, for expenses of holding elections, or for
14 temporary services or day labor.

15 B. Any such approved schedule of positions and salaries may be
16 amended, ~~however,~~ with the approval of the Director of the ~~Budget~~
17 ~~and the filing of a certificate thereof as provided above~~ Office of
18 State Finance.

19 C. The request officer for each ~~spending~~ agency shall show ~~on~~
20 ~~the forms provided, how he proposes to classify~~ the classification
21 of the expenditures for that spending their agency, and such
22 classification shall follow, ~~(except for items peculiar to certain~~
23 ~~departments or institutions),~~ the uniform budget and accounting
24

1 classifications adopted for similar spending agencies, except for
2 items peculiar to certain departments or institutions.

3 D. The ~~Budget~~ Director of the Office of State Finance shall not
4 have authority to fix the amount of any agency salary or eliminate
5 any position listed on such schedule. However, ~~he~~ the Director
6 shall not approve ~~said segregation~~ the schedule ~~in the event of~~
7 positions and salaries when the total amount of funds requested to
8 be allotted fails to reserve a sufficient balance ~~of the lump sum~~
9 ~~appropriation~~ to finance the operations of the ~~spending~~ agency
10 ~~concerned~~ for the remainder of that fiscal year, considering any
11 possible failure in the revenue estimated to be collected for that
12 fiscal year.

13 E. The ~~Budget~~ Director of the Office of State Finance shall not
14 have the authority to curtail the operation of any particular part
15 of the program, but shall order a reduction in the total program
16 only where insufficient revenues are anticipated to carry on the
17 program for the period concerned.

18 SECTION 21. AMENDATORY 62 O.S. 2001, Section 41.6, is
19 amended to read as follows:

20 Section 41.6 ~~Appropriations made by the Legislature for the~~
21 ~~fiscal year beginning July 1, 1947 and thereafter,~~ shall not be
22 available for contractual or expenditure purposes until allotted as
23 provided in ~~this act~~ the Oklahoma State Finance Act. Appropriations
24 made by the Legislature to each state ~~department, board, commission,~~

1 ~~institution or~~ agency, are hereby declared to be maximum,
2 conditional and proportionate appropriations, ~~the~~. The purpose
3 ~~being of this section is~~ to make appropriations payable in full in
4 the amounts named only in the event that the estimated budget
5 resources within each state fund during each fiscal year are
6 sufficient to pay all of the appropriations for such fiscal year in
7 full. ~~The~~ It is also the purpose of this provision ~~is~~ to ~~insure~~
8 ensure that there shall be no overdraft or deficit created in the
9 several funds of the state at the end of any fiscal year, and the
10 ~~Budget~~ Director of the Office of State Finance is directed and
11 required so to administer ~~this act~~ the Oklahoma State Finance Act to
12 prevent such overdraft or deficit.

13 SECTION 22. AMENDATORY 62 O.S. 2001, Section 41.7c, is
14 amended to read as follows:

15 Section 41.7c A. On or before the first day of June in each
16 year, or as soon thereafter as possible, all agencies shall ~~be~~
17 ~~required to file budget work programs~~ agency budgets with the
18 Director of the Office of State Finance. Copies of all agency
19 ~~budget work programs~~ budgets shall also be made available
20 electronically to the staff of the Joint Legislative Committee on
21 Budget and Program Oversight.

22 B. The required instructions, content and format of ~~budget work~~
23 ~~programs~~ agency budgets shall be developed by the staff of the
24 Budget Division of the Office of State Finance.

1 C. 1. The ~~work programs~~ agency budget shall include a
2 description of all funds available to the agency for expenditure and
3 ~~setting~~ set out allotments requested by the agency by quarter and
4 the entire fiscal year.

5 2. The ~~work program~~ agency budget shall be accompanied by an
6 organizational chart of the agency, a statement of agency mission
7 and program objectives.

8 3. The ~~work program~~ agency budget shall ~~show budgeted~~ delineate
9 agency spending by ~~major program category at the activity level and~~
10 ~~may identify budgeted spending by subprogram category at the~~
11 ~~subactivity level. Major program categories identified in the~~
12 ~~budget work program shall conform to the major program categories as~~
13 ~~provided by law~~ such categories and with at least as much detail as
14 is specified in the legislative appropriation and as prescribed by
15 the Director of the Office of State Finance. ~~Budget work programs~~

16 4. Agency budgets shall be signed by the executive officer of
17 each agency.

18 ~~Such program and allotment requests may be made by the "request~~
19 ~~officer" who shall be designated by each agency for that purpose~~

20 D. A "request officer" shall be designated by each state agency
21 for the purpose of making program and allotment requests.

22 E. Executive officers of agencies shall cooperate with the
23 Office of State Finance staff and Joint Committee staff in
24 developing program budgeting categories.

1 F. All funds available or expected to be made available to any
2 agency, including nonfiscal appropriations, shall not be available
3 for expenditure until the request officer of the agency has complied
4 with the applicable provisions of ~~Sections 41.1 through 41.41 of~~
5 ~~this title~~ the Oklahoma State Finance Act and has received approval
6 of such request for funds from the Director of the Office of State
7 Finance.

8 SECTION 23. AMENDATORY 62 O.S. 2001, Section 41.41, is
9 amended to read as follows:

10 Section 41.41 A. All ~~departments, institutions, boards,~~
11 ~~commissions and~~ agencies of the state shall submit to the State
12 Director of the Office of State Finance in all ~~budget and work~~
13 ~~program reports~~ agency budgets, in addition to other required
14 information, whether such reports relate to past, present or future
15 expenditures, an itemization of the amount attributable to each of
16 the following expenses:

17 1. The number of persons, total amount of all salaries, the
18 total amount of travel and subsistence expense and the total amount
19 of personnel expense for:

- 20 a. data processing directors,
- 21 b. systems analysts,
- 22 c. programmers,
- 23 d. electronic data processing operators,
- 24 e. punch card machine operators,

- 1 f. data processing control personnel,
- 2 g. data processing clerical personnel, and
- 3 h. other data processing personnel;
- 4 2. Rental of data processing equipment;
- 5 3. Purchase of data processing equipment;
- 6 4. Maintenance of data processing equipment, if not included in
- 7 rental expense;
- 8 5. Data processing supplies;
- 9 6. Data processing planning;
- 10 7. Data processing conversion from one system to another;
- 11 8. Rental and purchase of non-data processing equipment and
- 12 supplies utilized in a data processing operation;
- 13 9. Shipment of data processing equipment;
- 14 10. Rental of communication lines for transmission of data
- 15 processing information;
- 16 11. Data processing education;
- 17 12. Rental of software packages;
- 18 13. Contracting for development of systems; and
- 19 14. Other data processing expense.

20 B. All disbursements made from treasury funds by any state
21 ~~department, institution, board, commission or~~ agency for the above-
22 named expenses shall be budgeted to and disbursed from a special
23 allotment account to be created by the State Director of the Office
24 of State Finance.

1 C. This section shall not preclude agencies from programming
2 and expending intra-agency data processing costs for cost allocation
3 purposes.

4 SECTION 24. AMENDATORY 62 O.S. 2001, Section 41.32, is
5 amended to read as follows:

6 Section 41.32 In any year in which a Governor-elect assumes
7 office, the budget shall be the budget of the new Governor and shall
8 be submitted to the Legislature by ~~him~~ the new Governor. The
9 Division of the Budget shall render to the Governor-elect all
10 possible assistance in the preparation of the budget. The Governor
11 and ~~the departments, institutions or~~ agencies of the state shall
12 furnish the Governor-elect estimates and other budget information,
13 in order that the Governor-elect may discharge effectively his or
14 her budget responsibilities upon assuming office.

15 SECTION 25. AMENDATORY 62 O.S. 2001, Section 41.39, is
16 amended to read as follows:

17 Section 41.39 ~~The Division of the Budget~~ Office of State
18 Finance is hereby authorized to provide the Governor-elect and
19 Lieutenant Governor-elect with such reasonable and necessary
20 services as the Governor-elect or Lieutenant Governor-elect may
21 request in the performance of ~~his~~ their duties prior to taking
22 office and in preparation for assuming the duties of office. The
23 ~~Division of the Budget~~ Office of State Finance is further authorized
24 to allocate from the funds appropriated to ~~said Division~~ the Office

1 of State Finance the sum of Thirty Thousand Dollars (\$30,000.00), or
2 so much thereof as may be necessary for use by the Governor-elect,
3 if not incumbent, and the sum of Ten Thousand Dollars (\$10,000.00),
4 or so much thereof as may be necessary for use by the Lieutenant
5 Governor-elect, if not incumbent, for expenses of personal services,
6 office expense, supplies, materials, travel and other necessary
7 expenses incurred by such Governor-elect or Lieutenant Governor-
8 elect in the performance of his or her duties prior to taking office
9 and in preparation for assuming the duties of office.

10 SECTION 26. AMENDATORY 62 O.S. 2001, Section 9.1, is
11 amended to read as follows:

12 Section 9.1 A. ~~Effective February 10, 1947, and thereafter,~~
13 ~~revenues~~ Revenues deposited in the State Treasury to the credit of
14 the General Revenue Fund or of any special fund which derives its
15 revenue in whole or part from state taxes or fees shall be allocated
16 monthly to each ~~department, institution, board, commission~~ state
17 agency or special appropriation on a percentage basis, in that ratio
18 that the total appropriation for each such ~~department, institution,~~
19 ~~board, commission~~ state agency or special appropriation from each
20 fund for that fiscal year bears to the total of all appropriations
21 from each fund for that fiscal year. Appropriation allocations to
22 the State Board of Education for the financial support of public
23 schools shall be effective August 1 of the fiscal year in which they
24 apply.

1 B. A cash account shall be maintained by the agency of the
2 state charged with the allocation of revenues for each ~~department,~~
3 ~~board, commission, institution,~~ agency or special appropriation
4 which receives appropriations from the general fund or any special
5 fund, and no check or warrant shall be issued in excess of the
6 unexpended balance of said cash account at the time such check or
7 warrant is issued.

8 C. Cash allocations to each cash account shall be cumulative
9 and shall be available for the payment of any claim incurred within
10 the appropriations for which such cash was allocated, including
11 claims incurred against nonfiscal year appropriations which are
12 available for contracts for thirty (30) months from date such acts
13 are passed.

14 D. Revenue allocations shall be made to nonfiscal
15 appropriations ~~during.~~ During the fiscal year such appropriations
16 ~~first~~ become available for expenditure and ~~for~~ may be expended only
17 in that fiscal year only. This limitation applies equally to those
18 revenue allocations made to such appropriation.

19 E. ~~Appropriation acts~~ Measures passed by the Legislature
20 appropriating revenues from the General Revenue Fund, which are
21 supplemental to the original budget in effect on July 1 of any
22 fiscal year, shall be considered supplemental appropriations and
23 shall receive revenue allocations for the first time in the month in
24

1 which such acts become effective in compliance with Section 23~~7~~ of
2 Article ~~10~~, X of the Oklahoma Constitution ~~of the State of Oklahoma.~~

3 F. Supplemental appropriations from the General Revenue Fund
4 passed by the Legislature in excess of the Board of Equalization's
5 estimate for that fiscal year shall be null and void.

6 SECTION 27. AMENDATORY 62 O.S. 2001, Section 41.15, is
7 amended to read as follows:

8 Section 41.15 ~~Effective July 1, 1947 and thereafter, the~~ A.
9 The Division of Central Accounting and Reporting shall allocate all
10 revenues ~~thereafter deposited~~ to the credit of any fund in the State
11 Treasury except the Public Building Fund, in accordance with the
12 provisions of Section 23~~7~~ of Article ~~10~~, X of the Oklahoma
13 ~~Constitution of Oklahoma, as amended on March 11, 1941, and House~~
14 ~~Bill No. 30, Regular Session of the Twenty First Legislature.~~

15 B. The ~~Budget~~ Director of the Office of State Finance may
16 require that appropriations for capital ~~outlay~~ expenditures be
17 financed by a separate cash account so that allocations of cash to
18 any agency for purposes of constructing buildings, making
19 improvements, purchasing equipment, ~~etc.~~ or other capital
20 expenditures, may not be used to finance the current operations of
21 the ~~institution, department, or~~ agency.

22 C. Appropriations which are nonfiscal for contractual and
23 expenditure purposes, shall be considered fiscal for revenue
24 purposes, but may be allotted for expenditure at any time within

1 thirty (30) months from date such acts are ~~passed~~ enacted. Revenue
2 which accrues to the credit of the Public Building Fund in the State
3 Treasury ~~which derives its revenue under the provisions of Title 74,~~
4 ~~Section 98, O.S.1951,~~ shall be allocated to the appropriations from
5 the Public Building Fund in consecutive order. The Governor shall
6 designate the order of payment of the appropriations from the Public
7 Building Fund. The ~~Budget~~ Director of the Office of State Finance
8 shall allocate the collections sufficient to pay the first
9 appropriation designated by the Governor, before ~~he~~ the Director
10 allocates any amount to the second and so on, until all
11 appropriations are provided for. The contracting agency receiving
12 such appropriation shall not contract the same until revenue has
13 been allocated as provided in ~~this act~~ the Oklahoma State Finance
14 Act.

15 SECTION 28. AMENDATORY 62 O.S. 2001, Section 41.8, is
16 amended to read as follows:

17 Section 41.8 Federal funds received by any agency of the state
18 shall be deposited in the State Treasury and disbursed upon warrants
19 issued by the State Treasurer ~~and~~. These funds shall be subject to
20 the other fiscal controls imposed by ~~this act~~ the Oklahoma State
21 Finance Act, except where federal laws and/or regulations of ~~the a~~
22 federal agency which makes such funds available to the State
23 requires such federal funds to be granted, deposited, allocated or
24

1 expended through channels other than those required by the
2 provisions of ~~this act~~ the Oklahoma State Finance Act.

3 SECTION 29. AMENDATORY 62 O.S. 2001, Section 41.9, is
4 amended to read as follows:

5 Section 41.9 ~~Effective July 1, 1947, and thereafter,~~
6 ~~appropriations~~ A. Appropriations and/or federal funds, shall be
7 allotted for each ~~spending~~ agency by the use of a method which shall
8 be known as the line item method of allotting appropriations whereby
9 items requested may be allotted on either a monthly, quarterly,
10 semiannual or annual basis upon the written request of the agency
11 concerned and the approval of the Budget Director as provided by the
12 language of the legislative appropriation and other applicable state
13 law. Items may be allotted on a monthly, quarterly, semiannual or
14 annual basis upon the written request of the agency and the approval
15 of the Director of the Office of State Finance.

16 B. The request officer for each ~~spending~~ agency shall ~~show on~~
17 ~~the forms provided,~~ present the proposed classification of the
18 expenditures for that ~~spending~~ agency in such manner as may be
19 required by the Office of State Finance.

20 C. Each agency shall be required to identify those items that
21 are for capital purposes in keeping with the definition of capital
22 projects promulgated by the Long-Range Capital Planning Commission.
23 Requests for capital appropriations and an agency's original budget
24

1 request shall be for capital projects that have been submitted to
2 the Long-Range Capital Planning Commission for review.

3 D. The ~~Budget~~ Director of the Office of State Finance shall
4 review the requested allotments with respect to the ~~work program~~
5 agency budget with each ~~spending~~ agency and ~~shall, if the Director~~
6 ~~deems it necessary,~~ The Director may require ~~said spending the~~
7 agency to ~~revise, alter or~~ change such allotments before approving
8 ~~the same~~ them, if it is deemed necessary, reserving a sufficient
9 balance in the appropriation to finance the operations of the
10 ~~spending~~ agency for the remainder of any fiscal year.

11 E. At the end of any fiscal year, the entire amount
12 appropriated to any ~~spending~~ agency must be allotted to the agency
13 by the ~~Budget~~ Director of the Office of State Finance, except where
14 the estimated budget resources during any fiscal year are
15 insufficient to pay all of the appropriations of the state in full
16 for such year ~~in full.~~ The ~~Budget~~ Director of the Office of State
17 Finance shall not allot to any ~~spending~~ agency during any fiscal
18 year, an amount which will be in excess of the amount of revenue
19 collected and allocated to appropriations made to such ~~spending~~
20 agency.

21 F. In the event of a failure of revenue, the ~~Budget~~ Director of
22 the Office of State Finance shall control the allotment
23 ~~authorizations~~ to prevent obligations being incurred in excess of
24 the revenue to be collected. However, ~~the Budget Director shall~~

1 ~~make all reductions~~ within each state fund where a revenue failure
2 occurs, the Director of the Office of State Finance shall make all
3 reductions apply to each ~~department, institution, board, commission~~
4 state agency or special appropriation made by the State Legislature,
5 in the ratio that its total appropriation for that fiscal year bears
6 to the total of all appropriations for that fiscal year, as provided
7 in Section 23~~7~~ of Article 10, X of the Oklahoma Constitution ~~of~~
8 Oklahoma.

9 ~~Appropriation~~ G. An allotment may be approved for any item for
10 the entire year or may be approved on a monthly, quarterly, or
11 semiannual basis, but in no case shall the aggregate of such
12 allotments for any ~~spending~~ agency exceed the total appropriation
13 made available to such ~~spending~~ agency for the fiscal year to which
14 they apply. Each ~~spending~~ agency's request for appropriation
15 allotments shall show the amount required to finance each item of
16 the request for the entire year and ~~for each quarter beginning July~~
17 ~~1st, October 1st, January 1st and April 1st,~~ on a quarterly basis
18 within each fiscal year.

19 H. The ~~Budget~~ Director of the Office of State Finance shall
20 ~~consider the~~ review each allotment request for the purpose of ~~making~~
21 ~~a determination of~~ determining whether: ~~(1) That such~~

22 1. The itemized requests are in accordance with the agency
23 ~~budget plan approved by the Legislature;~~ ~~(2) that the~~

24

1 2. The accounting classification is sufficient to reflect the
2 purposes for which the expenditures are to be made; ~~(3) that the~~

3 3. The current financial requirements of the ~~spending~~ agency
4 ~~concerned,~~ justifies the monthly or quarterly allotment ~~to be made~~
5 ~~for each quarter,~~ reserving a sufficient balance ~~in the~~
6 ~~appropriation~~ to finance the remaining months or quarters; ~~(4) that~~
7 ~~the~~ and

8 4. The realization of the estimated revenues is sufficient to
9 allow the ~~commitments~~ allotments to be made.

10 I. The Legislature shall be exempt from submitting any ~~program~~
11 ~~of work or quarterly~~ agency budget or allotment request.

12 SECTION 30. AMENDATORY 62 O.S. 2001, Section 41.13, is
13 amended to read as follows:

14 Section 41.13 A. All ~~departments, institutions, or~~ agencies of
15 the state which are operating either partially or entirely from
16 revenues derived from sources other than legislative appropriations,
17 or authorizations shall file requests for allotments under the same
18 provisions ~~herein stated~~ as are required for those agencies that
19 receive direct legislative appropriations which distinctly specify
20 the amount appropriated.

21 B. The ~~Budget~~ Director of the Office of State Finance shall
22 approve such requests for allotments ~~on a line item basis~~ pursuant
23 to the language of the legislative appropriation and other
24 applicable state law, if the estimated revenues accruing to such

1 fund are sufficient to finance such allotments within the period for
2 which the items are approved, and if the account classification ~~is~~
3 ~~sufficient to show~~ clearly shows the purposes for which the money is
4 to be expended, ~~except that.~~ However obligations as they are
5 incurred may not exceed the unencumbered balance of surplus cash on
6 hand in accordance with Section 23, of Article 10, X of the Oklahoma
7 Constitution of the State of Oklahoma.

8 C. The Budget Director of the Office of State Finance may
9 require a more detailed breakdown of accounts before ~~he approves~~
10 approving such requests ~~if the request fails to show sufficient~~
11 ~~information for the Division of Central Accounting and Reporting.~~

12 D. This section shall apply to ~~such spending agencies as the~~
13 ~~State Highway Department, Fish and Game Department, Oklahoma~~
14 ~~Employment Security Commission and other spending agencies operating~~
15 ~~under similar financial arrangements, including federal funds~~
16 ~~received by any spending agency of the state~~ receiving federal
17 funds, but shall not apply to donated funds, trust funds or funds of
18 an agency relationship.

19 SECTION 31. AMENDATORY 62 O.S. 2001, Section 41.10, is
20 amended to read as follows:

21 Section 41.10 ~~The Budget~~ A. If an allotment request is
22 approved by the Director of the Office of State Finance, it shall,
23 ~~if he approves the requested allotments, transmit a copy as approved~~
24 be transmitted to the request officer of the ~~spending~~ agency

1 concerned and ~~also a copy~~ to the Division of Central Accounting and
2 Reporting.

3 B. Legislative appropriations ~~which serve as~~ or authorizations
4 are the legal basis for expending the state's monies, ~~and against~~
5 ~~which allotments.~~ Allotments shall be made, ~~shall be set up on the~~
6 ~~records of the Division of Central Accounting and Reporting~~ against
7 these legislative appropriations or authorizations and shall be
8 entered on the records of the Division of Central Accounting and
9 Reporting in such accounts as may be required by the Director of the
10 Office of State Finance.

11 C. The allotments approved by the ~~Budget~~ Director ~~against such~~
12 ~~appropriations,~~ of the Office of State Finance shall be the portion
13 of the appropriation set aside to cover encumbrances and
14 expenditures for a designated purpose during a monthly, quarterly,
15 semiannual or annual period. ~~The allotments authorized by the~~
16 ~~Budget Director shall be filed with the Division of Central~~
17 ~~Accounting and Reporting and shall be set up on the records of the~~
18 ~~Division of Central Accounting and Reporting in such accounts as may~~
19 ~~be required by the Budget Director.~~

20 D. The Division of Central Accounting and Reporting shall not
21 approve claims for payment in excess of the amount allotted for each
22 account approved by the ~~Budget~~ Director of the Office of State
23 Finance.

24

1 E. After the first allotments for each agency of the state have
2 been authorized by the ~~Budget~~ Director ~~for each agency of the state~~
3 of the Office of State Finance, subsequent allotments may be
4 authorized upon the request of ~~the~~ an agency ~~concerned~~ and with the
5 approval of the ~~Budget~~ Director of the Office of State Finance.

6 F. The ~~Budget~~ Director of the Office of State Finance may
7 authorize new accounts in addition to those requested in the
8 original allotment request, or may increase the amount allotted for
9 a monthly, quarterly, semiannual or annual period. A balance
10 remaining in any of the allotment accounts at the end of any
11 monthly, quarterly, or semi-annual period, shall be available for
12 expenditure the subsequent period; however, subsequent allotment
13 requests and the ~~Budget~~ Director's approval should take into
14 consideration any unencumbered or unexpended balance remaining at
15 the time such subsequent requests are approved.

16 SECTION 32. AMENDATORY 62 O.S. 2001, Section 41.46, is
17 amended to read as follows:

18 Section 41.46 A. The administrative head of any agency or the
19 request officer ~~as defined in Section 41.7c of this title~~, may
20 request that any current item of appropriation, ~~appropriation~~
21 allotment, ~~program category or work program~~ or budget category be
22 transferred to any other ~~program~~ budget category within the same
23 agency.

1 B. The administrative head shall make a request for ~~program~~
2 budget transfer to the Director of the Office of State Finance in
3 writing and file a revised agency budget ~~work program~~.

4 C. Copies of the request for ~~program~~ budget transfer and
5 corresponding agency budget ~~work program~~ revisions shall also be
6 filed ~~with the Joint Legislative Committee on Budget and Program~~
7 ~~Oversight as created by Section 41.47 of this title~~ as directed by
8 the President Pro Tempore of the Senate and the Speaker of the House
9 of Representatives.

10 D. The Director of the Office of State Finance ~~shall~~ may
11 approve the request for transfer ~~unless both the Chair and Vice~~
12 ~~Chair of the Joint Legislative Committee on Budget and Program~~
13 ~~Oversight provide written notification to the Director of State~~
14 ~~Finance within twelve (12) calendar days of receipt of transfer~~
15 ~~request that the transfer subverts the intention and objectives of~~
16 ~~the Legislature in establishing the original appropriation, or~~
17 ~~unless the transfer does not meet the requirements of this section~~
18 ~~or Section 41.9 of this title. Notification of noncompliance with~~
19 ~~legislative intent shall be transmitted to the Director of State~~
20 ~~Finance within twelve (12) calendar days of receipt of the transfer~~
21 ~~request. The Director of State Finance shall give written notice of~~
22 ~~approval or disapproval of each program transfer to the agency, the~~
23 ~~Governor and the Chair and Vice Chair of the Joint Legislative~~
24 ~~Committee on Budget and Program Oversight~~ and shall give notice of

1 approval or disapproval of each budget transfer to the agency, the
2 Governor, the President Pro Tempore of the Senate and the Speaker of
3 the House of Representatives within eighteen (18) calendar days of
4 receiving the request.

5 E. Transfers shall be subject to the following limitations:

6 1. The amount to be transferred, together with all previous
7 transfers, shall not exceed twenty-five percent (25%) of the total
8 appropriation of the least of the items of appropriation,
9 ~~appropriation~~ allotment or ~~work program~~ agency budget involved in
10 the transfer; and

11 2. If the amount to be transferred, and all previous transfers,
12 is greater than twenty-five percent (25%) of the least items of
13 appropriation, ~~appropriation~~ allotment or ~~work program~~ agency budget
14 involved in the transfer request, ~~upon written application~~ the
15 agency may make an application to the Governor, the President Pro
16 Tempore of the Senate and the Speaker of the House of
17 Representatives, and transmit such application to the Director of
18 the Office of State Finance, and the Chair and Vice Chair of the
19 ~~Joint Legislative Committee on Budget and Program Oversight and~~
20 ~~with.~~ If the agency obtains written approval ~~by the Contingency~~
21 ~~Review Board~~ from the Governor, the President Pro Tempore of the
22 Senate and the Speaker of the House of Representatives, an
23 additional fifteen percent (15%) may be transferred.

24

1 SECTION 33. AMENDATORY 62 O.S. 2001, Section 41.14, is
2 amended to read as follows:

3 Section 41.14 A. 1. The Oklahoma State System of Higher
4 Education, established by Article XIII-A of the Oklahoma
5 Constitution ~~of this state~~, shall operate an allotment system
6 similar to the procedure set out in ~~this act~~ the Oklahoma State
7 Finance Act for other agencies of the state except that the Oklahoma
8 State Regents for Higher Education shall be substituted for the
9 ~~State Budget~~ Director of the Office of State Finance in connection
10 with approving allotment requests of the constituent institutions
11 comprising The Oklahoma State System of Higher Education.

12 2. The account classification for the State System of Higher
13 Education shall conform as nearly as possible with the
14 classification of accounts recommended by the National Committee on
15 Standard Reports for Institutions of Higher Education.

16 3. The Board of Regents shall allocate to each institution
17 under its control from the consolidated, or lump sum appropriation
18 made by the Legislature, an amount sufficient to meet the needs and
19 functions of each institution for the entire year ~~as is now provided~~
20 ~~by law, or may hereafter be provided by law.~~

21 4. The amount allocated to each institution for each fiscal
22 year in accordance with Article XIII-A, of the Oklahoma
23 Constitution, shall be made in a lump sum without regard to uniform
24 budget or accounting classifications, but shall not be available for

1 expenditure until subsequently allotted by the Regents in accordance
2 with the uniform budget and accounting classifications recommended
3 by the National Committee on Standard Reports.

4 B. The Oklahoma State Regents for Higher Education may reduce
5 the allocation of funds which could otherwise be made to an
6 institution within The Oklahoma State System of Higher Education in
7 order to make payments for leases within the lease financing program
8 authorized by Section 4 3206.5 of ~~this act~~ Title 70 of the Oklahoma
9 Statutes.

10 C. 1. The Regents, with the approval of the ~~Budget~~ Director of
11 the Office of State Finance, may allot money to any constituent
12 institution ~~under said Regents~~ to set up and operate a petty cash
13 fund at said institution, ~~said~~. Such petty cash fund ~~to~~ shall be
14 reimbursed upon the filing of claims showing the purposes for which
15 the funds were expended.

16 2. The Division of Central Accounting and Reporting shall make
17 cash allocations of revenue in accordance with Section 23, of
18 Article 10, X of the Oklahoma Constitution of Oklahoma, to each of
19 the constituent institutions, ~~considering the total allocation~~.
20 These cash allocations shall be based on the allocations made by the
21 Regents to each institution from the lump sum legislative
22 appropriations ~~as~~ and such allocation shall be the total
23 appropriation for each institution, in lieu of legislative
24 appropriations. ~~All~~

1 3. After these funds have been allocated and allotted as
2 provided in this section, all institutional income shall operate as
3 a continuing nonfiscal appropriation which may be spent for any
4 educational and general purposes for which appropriated funds may be
5 spent. "Institutional income" for such purposes shall mean all
6 income available for educational and general purposes, as defined in
7 the uniform budget and accounting classifications recommended by the
8 National Committee on Standard Reports, and including income defined
9 by law as revolving fund income, shall operate as a continuing
10 nonfiscal appropriation which may be spent for any educational and
11 general purposes for which appropriated funds may be spent, if
12 allocated and allotted as provided in this section; provided.
13 Expenditures shall be limited to the extent that the obligations as
14 they are incurred may not exceed the unencumbered balance of cash on
15 hand in accordance with Section 23, of Article 10, X of the Oklahoma
16 Constitution of the State of Oklahoma.

17 D. 1. At least thirty (30) days prior to the beginning of each
18 fiscal year, each of the constituent institutions shall file with
19 the Regents its request for appropriation allotments for each of the
20 purposes for which expenditures are to be made.

21 2. Such requests shall be broken down to conform to the uniform
22 budget or accounting classifications recommended by the National
23 Committee on Standard Reports.

1 3. Each institution's request for appropriation allotments
2 shall show the amount required to finance each item of the request
3 for the entire year and for each quarter or each six-months period
4 within the fiscal year, as required by the ~~Budget~~ Director of the
5 Office of State Finance.

6 E. The Regents, or ~~their designated~~ the official or employee
7 who has been authorized to approve itemize allotment requests, shall
8 consider the allotment requests for the purpose of making a
9 determination ~~of whether:~~ whether: ~~(1) that the~~

10 1. The current financial requirements of the institution
11 concerned justify the allotment to be made; ~~(2) that the~~

12 2. The accounting classification is sufficient to reflect the
13 purpose for which expenditures are to be made and that such
14 classification is in accordance with the budget classifications
15 adopted by the ~~Budget~~ Director of the Office of State Finance and
16 the Regents, which shall conform as nearly as possible to the
17 account classification recommended by the National Committee on
18 Standard Reports for Institutions of Higher Education; ~~(3) that the~~
19 and

20 3. The realization of estimated revenues determined by the
21 ~~Budget~~ Director of the Office of State Finance is sufficient to
22 allow the commitments to be made.

23 F. 1. In allotting appropriations and other funds, and
24 approving subsequent allotments which may be required by each

1 institution, the Regents shall follow the same general procedure set
2 forth in ~~this act~~ the Oklahoma State Finance Act for other agencies
3 of the state not under the control of said Regents, except as
4 otherwise provided in this section.

5 2. All forms and account classifications shall be mutually
6 agreed upon by the ~~Budget~~ Director of the Office of State Finance
7 and the State Regents.

8 3. The Regents shall file approved requests of constituent
9 institutions with the Division of Central Accounting and Reporting
10 and such ~~approved~~ requests shall be entered on the records of the
11 ~~state~~ Office of State Finance in the same manner as is provided in
12 ~~this act~~ the Oklahoma State Finance Act for other agencies of the
13 state.

14 4. The State Regents and the ~~Budget~~ Director of the Office of
15 State Finance shall approve any request from the administrative head
16 of a constituent institution for amendment of the approved schedule
17 of positions and salaries, or transfers between items, so long as
18 the currently approved allotment for such purposes is not exceeded,
19 ~~and each~~ Each such amendment shall be filed with the ~~Budget Director~~
20 Office of State Finance, in such detail as ~~he may require~~ be
21 required, prior to the date on which the first payroll or other
22 disbursement affected by such amendment or transfer is submitted for
23 payment.

24

1 G. 1. In the event that the realization of estimated revenues
2 at any time during the fiscal year indicates that the total revenue
3 for that fiscal year to any state fund will be insufficient at the
4 end of the fiscal year to meet the total appropriations from that
5 fund, the ~~State Budget~~ Director of the Office of State Finance shall
6 notify the Oklahoma State Regents ~~of~~ for Higher Education ~~as to~~ of
7 the amount ~~of reduction necessary against the consolidated, or lump~~
8 ~~sum appropriations, made to the Regents~~ to reduce their lump sum
9 appropriations to avoid the creation of a deficit and remain in
10 compliance with Section 23 of Article X of the Oklahoma
11 Constitution. Such reductions against the lump sum appropriation
12 shall not exceed the percentage reduction ordered against other
13 agencies of the state from that fund.

14 2. Upon receipt of notice from the Director of the Office of
15 State Finance of a necessary reduction in the lump sum
16 appropriation, to meet a failure in revenue, the Regents shall
17 immediately take action to control the approval of subsequent
18 allotment requests sufficient to make the aggregate reduction in
19 allotments of all constituent institutions under their control equal
20 the amount of reduction ordered.

21 3. The Regents in making itemized allotments during the fiscal
22 year, may reserve an amount of funds sufficient to meet a reasonable
23 failure of revenue ~~until~~. However, the total appropriation may be
24 allotted for expenditure upon receipt of notice from the ~~Budget~~

1 Director of the Office of State Finance that the ~~realization of~~
2 ~~estimated revenues indicates that the total appropriation may be~~
3 ~~allotted for expenditure. Upon receipt of notice from the Budget~~
4 ~~Director of a necessary reduction in the consolidated, or lump sum~~
5 ~~appropriation, to meet a failure in revenue, the Regents of Higher~~
6 ~~Education shall immediately take action to control the approval of~~
7 ~~subsequent allotment requests sufficient to make the aggregate~~
8 ~~reduction in allotments of all constituent institutions under their~~
9 ~~control equal the amount of reduction ordered against the lump sum~~
10 ~~appropriation made by the Legislature. Such reductions against the~~
11 ~~lump sum appropriation shall not exceed the percentage reduction~~
12 ~~ordered against other agencies of the state in accordance with~~
13 ~~Section 23, Article 10, Oklahoma Constitution~~ of the Oklahoma State
14 Regents for Higher Education will be realized.

15 SECTION 34. AMENDATORY 62 O.S. 2001, Section 10.1, is
16 amended to read as follows:

17 Section 10.1 There is hereby created in the State Treasury a
18 division of the State General Revenue Fund which shall be designated
19 the "General Revenue Cash-flow Reserve Fund". The purpose of the
20 General Revenue Cash-flow Reserve Fund is to make cash available for
21 the July cash allocation and so that, insofar as possible, each
22 monthly cash allocation thereafter can equal one-twelfth (1/12) of
23 the annual appropriation from the General Revenue Fund.

24

1 1. Each year the Director of the Office of State Finance may
2 transfer monies from the then current fiscal year General Revenue
3 Fund to the General Revenue Cash-flow Reserve Fund for the
4 succeeding fiscal year when the apportionment to the General Revenue
5 Fund is in excess of amounts required for the allocations necessary
6 to fund appropriations made by the Legislature for the then current
7 fiscal year. The amount to be transferred shall not exceed ten
8 percent (10%) of the amount certified by the State Board of
9 Equalization as available for appropriation from the General Revenue
10 Fund for the next succeeding fiscal year.

11 2. Any monies transferred to the General Revenue Cash-flow
12 Reserve Fund pursuant to paragraph 1 of this section, shall be
13 transferred by the Director of the Office of State Finance as
14 nonrevenue receipts to the State General Revenue Fund in the amounts
15 necessary to make cash available for the July cash allocation and so
16 that, insofar as possible, each monthly cash allocation thereafter
17 can equal one-twelfth (1/12) of the annual appropriation.

18 3. On the second Monday of June of each year, the Director of
19 the Office of State Finance shall close the preceding fiscal year
20 General Revenue Cash-flow Reserve Fund by transfer to the then
21 current fiscal year General Revenue Fund.

22 4. Any monies in the prior year General Revenue Cash-flow
23 Reserve Fund which are not necessary for the current year cash-flow
24 needs shall be subject to legislative appropriation.

1 SECTION 35. AMENDATORY 62 O.S. 2001, Section 10.3, is
2 amended to read as follows:

3 Section 10.3 A. The Director of the Office of State Finance
4 may transfer monies from any treasury fund to the General Revenue
5 Cash-flow Reserve Fund as required to satisfy monthly allocations
6 scheduled from the General Revenue Fund for the then current fiscal
7 year. Funds from which any monies are so transferred shall be
8 repaid before any transfers are made from the General Revenue Fund
9 to the General Revenue Cash-flow Reserve Fund for the subsequent
10 fiscal year.

11 B. The Director of the Office of State Finance may transfer
12 monies to any treasury fund from the General Revenue Cash-flow
13 Reserve Fund as required to satisfy cash-flow requirements of ~~Public~~
14 ~~Law 101-453~~, the federal Cash Management Improvement Act, ~~as~~
15 ~~amended, 31 U.S.C., Sections 3335, 6501 and 6503~~. Funds to which
16 any monies are so transferred shall be repaid within the same month.
17 If insufficient funds exist in the General Revenue Cash-flow Reserve
18 Fund for this purpose, the General Revenue Fund for the then current
19 fiscal year may be used with the same repayment stipulations.

20 SECTION 36. AMENDATORY 62 O.S. 2001, Section 7.2, as
21 amended by Section 1, Chapter 105, O.S.L. 2002 (62 O.S. Supp. 2007,
22 Section 7.2), is amended to read as follows:

23 Section 7.2 A. There is hereby re-created, to continue until
24 July 1, 2008, in accordance with the provisions of the Oklahoma

1 ~~Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma~~
2 ~~Statutes,~~ a Special Agency Account Board, to consist of the Director
3 of the Office of State Finance, the State Treasurer and the Director
4 of the Legislative Service Bureau. The Board shall have the
5 authority to approve the establishment of agency special accounts in
6 the official depository of the State Treasury. In the case of
7 institutions of higher education, the Special Agency Account Board,
8 acting in conjunction with the Oklahoma State Regents for Higher
9 Education, shall establish special agency accounts as appropriate
10 which shall be consistent with provisions of the ~~Oklahoma Budget Law~~
11 ~~of 1947, Section 41.1 et seq. of this title~~ Oklahoma State Finance
12 Act, as it relates to institutions in The Oklahoma State System of
13 Higher Education.

14 B. The Board, created by this section, shall adopt procedures
15 including application forms, justification and other pertinent
16 information as to the basis for a state agency application for the
17 establishment of agency special accounts.

18 C. The Board may approve agency special accounts for money
19 received by state agencies for the following purposes:

20 1. Benefit programs for individuals, including, but not limited
21 to, unemployment compensation, workers' compensation and state
22 retirement programs;

23 2. Revenues produced by activities or facilities ancillary to
24 the operation of a state agency which receive no money, directly or

1 indirectly, from or through that state agency, including, but not
2 limited to, revenues from the sales of food at retail level, sales
3 at canteens, sales at student unions, sales at student bookstores,
4 receipts from athletic programs and receipts from housing.
5 Provided, however, that a state institution of higher learning may
6 purchase necessary equipment and instructional supplies and office
7 supplies from a student bookstore, or, subject to authorization by
8 the Oklahoma State Regents for Higher Education, may rent building
9 space for institutional use in a building operated by an
10 organization or entity whose existence is ancillary to the operation
11 of a state agency, and whose cost was financed in whole or in part
12 with revenue-type bonds; provided, further, that the cost of such
13 office supplies or space rental shall not exceed the cost of similar
14 supplies or rentals available commercially;

15 3. Gifts, devises and bequests with an agency as beneficiary,
16 unless otherwise provided by statute;

17 4. Evidence funds for law enforcement agencies;

18 5. Student loan funds and scholarship funds;

19 6. Funds held in escrow;

20 7. Land Commission funds;

21 8. Funds for which the state agency acts as custodian,
22 including, but not limited to, fees from employee earnings approved
23 by the governing board of the agency, funds of student organizations
24 including student activity fees collected by an educational

1 institution as a separate item in enrollment procedures,
2 professional organizations, patients and inmates;

3 9. Funds used by the Oklahoma Tax Commission to pay for the
4 filing of liens with the Federal Aviation Administration;

5 10. Temporary accounts for funds arising from new or amended
6 legislation not otherwise provided for in statute or for other
7 emergency situations. Such accounts are to be utilized only pending
8 legislative action directing custody of such funds;

9 11. Payment of liability claims against the state;

10 12. Activities of the various Armory Boards of the Oklahoma
11 Military Department to receive and dispense funds derived by the
12 Armory Boards pursuant to Sections 232.6 and 232.7 of Title 44 of
13 the Oklahoma Statutes; and

14 13. Payment of expenses incurred in connection with the
15 acceptance of payments made with nationally recognized credit cards.

16 D. The State Treasurer is authorized to accept deposit of money
17 made directly to agency special accounts approved by the Board. All
18 money received by a state agency, as described in Section ~~7.1~~ 34.57
19 of this title, shall be deposited in State Treasury funds or
20 accounts and no money shall be deposited in banks or other
21 depositories unless the bank accounts are maintained by the State
22 Treasurer or are for the deposit of authorized petty cash funds.

23

24

1 E. Money deposited in agency special accounts shall be
2 disbursed on vouchers issued by the state agency concerned to
3 accomplish the purpose for which the money was intended.

4 F. Funds and revenues of the Grand River Dam Authority are
5 exempt from the requirements of this section.

6 G. Funds and revenues of the Oklahoma Municipal Power Authority
7 are exempt from the requirements of this section.

8 H. Monies used for investment purposes by the Oklahoma
9 Firefighters Pension and Retirement System, the Oklahoma Police
10 Pension and Retirement System, the Uniform Retirement System for
11 Justices and Judges, the Oklahoma Law Enforcement Retirement System,
12 the Oklahoma Public Employees Retirement System, the Teachers'
13 Retirement System of Oklahoma, the State Insurance Fund, the State
14 and Education Employees Group Insurance Board, the Commissioners of
15 the Land Office, and the Oklahoma State Regents for Higher Education
16 for its Endowment Trust Fund are exempt from the requirements of
17 this section, and shall be placed with the respective custodian bank
18 or trust company.

19 SECTION 37. AMENDATORY 62 O.S. 2001, Section 7.3, is
20 amended to read as follows:

21 Section 7.3 A. Each state agency shall furnish to the Director
22 of the Office of State Finance, in such form as the Director shall
23 prescribe, detailed information showing the income, disbursements,
24 and transfers for each agency clearing account and each agency's

1 special account. Income, disbursements and transfers shall be
2 identified in accordance with code designations as provided in the
3 accounting procedures of the Office of State Finance.

4 B. The Director of the Office of State Finance may approve any
5 modification in the code designations of income, disbursements and
6 transfers that he or she finds expedient.

7 C. The State Treasurer shall not honor vouchers disbursing and
8 transferring monies from agency clearing accounts or special
9 accounts, when he or she has been notified by the Director of the
10 Office of State Finance that an agency is not in compliance with the
11 provisions of subsection A of this section.

12 SECTION 38. AMENDATORY 62 O.S. 2001, Section 41.13a, is
13 amended to read as follows:

14 Section 41.13a No state agency ~~or entity~~ shall commit or expend
15 any funds from federal block grant funds created after ~~the effective~~
16 ~~date of this act~~ June 9, 1995, including, but not limited to,
17 employment, job training, vocational education, vocational
18 rehabilitation, adult education or literacy programs without:

- 19 1. Prior authorization;
- 20 2. Appropriation of the funds by the Legislature as provided in
21 Section 23 of Article ~~10~~ X of the Oklahoma Constitution; or
- 22 3. Other formal expression of legislative intent.

23 SECTION 39. AMENDATORY 62 O.S. 2001, Section 41.16, is
24 amended to read as follows:

1 Section 41.16 Encumbrance requirements for payments from funds
2 of the state shall include the following:

3 ~~A. 1. Whenever departments, institutions, boards, commissions~~
4 ~~or agencies of this state enter into contracts for, or on behalf of~~
5 ~~the state for the purchase of goods, wares or merchandise, or for~~
6 ~~construction of buildings, roads, bridges or any other thing for~~
7 ~~which labor and materials must be furnished by outside vendors~~
8 tangible or intangible property, or for services or labor, such
9 agreement shall be evidenced by written contracts or purchase
10 orders, and must be transmitted to the Director of the Office of
11 State Finance within a reasonable time from the date of the awarding
12 of the contract or purchase order, as determined by the Director ~~of~~
13 ~~State Finance from the date of awarding of such contract or purchase~~
14 ~~order.;~~

15 ~~B. 2. The Director~~ of the Office of State Finance shall charge
16 such contracts, or purchase orders ~~or agreements,~~ against the proper
17 ~~appropriation allotment~~ account as an outstanding order until it is
18 liquidated by payment of a claim, or claims, against said contracts
19 or purchase orders, or by cancellation. of the contract or purchase
20 order;

21 ~~C. 3. The Director~~ of the Office of State Finance shall have
22 the ~~authority, and is hereby given the power to authorize~~
23 ~~departments, institutions, boards, commissions or agencies of the~~
24 state to make purchases ~~not requiring~~ without the submission of

1 competitive bids pursuant to Section as otherwise required by
2 Sections 85.7 and 85.12 of Title 74 of the Oklahoma Statutes, ~~or~~
3 ~~excluded from the purview of the Central Purchasing Act pursuant to~~
4 ~~Section 85.12 of Title 74 of the Oklahoma Statutes,~~ for or on behalf
5 of the state whenever the Director ~~of State Finance~~ determines that
6 it is in the best interests of the state ~~are served thereby.~~ The
7 administrative head of any agency shall be personally liable for
8 obligations incurred in excess of the authorization granted by the
9 Director ~~of State Finance.~~;

10 ~~D.~~ 4. The Director of the Office of State Finance shall never
11 authorize payment of claims ~~for the purchase of goods, wares and~~
12 ~~merchandise, or claims for contractual services,~~ for any agency of
13 the state unless ~~it is~~ they are supported by ~~(1):~~;

- 14 a. contracts or purchase orders of the ~~State Board of~~
15 ~~Public Affairs~~ Department of Central Services, ~~or (2)~~
- 16 b. institutional purchase orders or contracts, ~~or (3)~~
- 17 c. departmental purchase orders or contracts, or ~~(4)~~
- 18 d. authorizations for purchases granted by the Director
19 ~~of State Finance~~ as provided by ~~subsection C~~ paragraph
20 3 of this section.;

21 5. Any invoice or claim dated prior to the date of any of the
22 above-mentioned encumbrance documents shall be rejected by the
23 Director Office of State Finance.;

24

1 6. Any encumbrance document that is outstanding on the records
2 in the Office of State Finance ~~for a period of one (1) year~~ when its
3 funding source or sources lapse shall be canceled, ~~encumbrances for~~
4 ~~capital outlay excepted.~~ unless another current funding source is
5 assigned; and

6 7. The Commissioners of the Land Office shall be authorized to
7 make payment of fees to its custodial bank and investment managers
8 from the proceeds of total realized investment gains and such
9 payments may be made from a special fund hereby created in the State
10 Treasury for this purpose. Total payments for this purpose in a
11 fiscal year shall not exceed one-half percent (0.5%) of the market
12 value of the funds under the Commissioners' management on June 30 of
13 the previous fiscal year.

14 SECTION 40. AMENDATORY 62 O.S. 2001, Section 41.18, is
15 amended to read as follows:

16 Section 41.18 A. The State Treasurer shall be the disbursing
17 agency of the state and shall draw either checks or warrants payable
18 at the State Treasury, in payment of all claims, including payrolls,
19 against the state which shall be ~~by law directed to be paid out of~~
20 ~~the treasury-~~, as follows:

21 1. Each check or warrant shall specify the date of its issue
22 and the name of the person to whom payable. ~~Each; and~~

23 2. For each check, or warrant, issued by the State Treasurer,
24 there shall be a record which shall specify ~~on its face~~ the gross

1 amount, the amount of withholding, if any, and the net amount
2 payable to the payee.

3 B. At the end of each month the State Treasurer shall report to
4 the Director of the Office of State Finance in such form as the
5 Director ~~of State Finance~~ shall prescribe, all checks or warrants
6 issued during the month. ~~Effective July 1, 1947, and thereafter,~~
7 ~~checks~~

8 C. Checks or warrants issued by the State Treasurer shall be
9 registered on the records of the State Treasurer in such manner as
10 shall be prescribed by the ~~Budget~~ Director of the Office of State
11 Finance; provided, that each check or warrant shall indicate thereon
12 the fund against which the same shall be charged. The purpose of
13 this section is to permit checks or warrants to be registered in the
14 order in which they are drawn upon the State Treasury, ~~provided,~~
15 ~~such checks or warrants indicate the treasury fund against which the~~
16 ~~same is charged.~~

17 SECTION 41. AMENDATORY 62 O.S. 2001, Section 41.21, as
18 amended by Section 1, Chapter 150, O.S.L. 2002 (62 O.S. Supp. 2007,
19 Section 41.21), is amended to read as follows:

20 Section 41.21 A. Except as otherwise provided ~~by subsections~~
21 ~~B, C, D, E, F, G, H, K and L of this section, procedures for~~
22 ~~effecting payment of claims or payrolls shall include the following~~
23 in the Oklahoma State Finance Act, procedures for paying claims or
24 payrolls shall include the following:

1 1. All miscellaneous claims and payroll claims ~~which are to be~~
2 ~~used to authorize~~ for the payment of money from the State Treasury,
3 shall be filed with the Director of the Office of State Finance for
4 audit and settlement prior to being filed for payment with the State
5 Treasurer; ~~provided, the~~

6 2. The Director of the Office of State Finance may establish
7 alternative procedures for the settlement of claims ~~through the~~
8 ~~Office of State Finance~~ whenever such procedures are deemed more
9 advantageous ~~and~~ so long as they are consistent with the
10 requirements of ~~Section 41.1 et seq. of this title.~~ state law;

11 3. Such alternative procedures ~~may include, but are not limited~~
12 ~~to,~~ shall be at the discretion of the Director of the Office of
13 State Finance and may include, but are not limited to:

14 a. a procedure to permit consolidated payment to vendors
15 for claims involving more than one agency of the state
16 when audit and settlement of such claims, as
17 hereinafter provided, can in all respects be
18 accomplished,

19 b. procedures based upon valid statistical sampling
20 models for preaudit of claims, ~~except for payroll~~
21 ~~claims and travel claims,~~ against contracts, purchase
22 orders and other commitments before entering such
23 claims against the ~~appropriation allotment~~ accounts,
24 and

1 c. policies, procedures and performance criteria for the
2 participation of agencies or departments, not
3 authorized ~~in subsections B through H of~~ by this
4 section, to engage in an alternative system for the
5 settlement of claims ~~through the Office of State~~
6 ~~Finance~~; and

7 2. 4. The Director of the Office of State Finance may use a
8 numeric or alphanumeric designation to cross-reference claims or
9 payrolls to check warrant numbers, transfer entry or optional
10 settlement mode used in the payment thereof.

11 B. After claims or payrolls or both have been properly audited
12 and recorded against the respective contracts, purchase orders,
13 other commitments and ~~appropriation allotment~~ accounts, the Division
14 of Central Accounting and Reporting shall certify such claims or
15 payrolls to the State Treasurer for payment.

16 C. It shall be the responsibility of the Division of Central
17 Accounting and Reporting to determine that:

18 ~~a. that all~~

19 1. All material legal requirements concerning the expenditure
20 of monies involved in each claim or payroll have been complied with,
21 and;

22 ~~b. that funds~~

23 2. Funds have been properly and legally allotted for the
24 payment of the claim or payroll; and ~~that a~~

1 3. A sufficient balance exists for the payment of same.

2 ~~Sufficient space shall be provided on each claim and payroll for~~
3 ~~the Director of State Finance to indicate that the claim or payroll~~
4 ~~has been approved for payment by the Division of Central Accounting~~
5 ~~and Reporting.~~

6 D. The Director of the Office of State Finance shall authorize
7 or bonded employees in the Division of Central Accounting and
8 Reporting to execute the signed approval of each claim or payroll
9 ~~which~~ authorized by the Director shall ~~be certified~~ certify to the
10 State Treasurer that the claim or payroll has been approved for
11 payment.

12 ~~B.~~ ~~The Department of Human Services is authorized to establish~~
13 ~~an encumbrance and preaudit system for settlement of claims relating~~
14 ~~to public assistance, social service benefits and medical benefits~~
15 ~~to or for persons eligible under applicable federal laws and rules,~~
16 ~~Oklahoma Statutes, and policies established by the Oklahoma~~
17 ~~Commission for Human Services. The following programs shall be~~
18 ~~eligible for this procedure:~~

- 19 ~~1. Aid to Families with Dependent Children;~~
- 20 ~~2. Aid to Aged, Blind and Disabled;~~
- 21 ~~3. Medical Assistance;~~
- 22 ~~4. Day Care;~~
- 23 ~~5. Refugee Resettlement;~~
- 24 ~~6. Low Income Heating and Energy Assistance;~~

- 1 ~~7. General Assistance;~~
- 2 ~~8. Crippled Children;~~
- 3 ~~9. Social Services under Title XX of the U.S. Social Security~~
- 4 ~~Act, 42 U.S.C., Section 301 et seq.;~~
- 5 ~~10. Adoption Subsidies;~~
- 6 ~~11. Foster Care;~~
- 7 ~~12. Medical Examination;~~
- 8 ~~13. Area Agencies on Aging;~~
- 9 ~~14. Any contract for service for which the Department of~~
- 10 ~~Central Services has approved as qualifying for a fixed and uniform~~
- 11 ~~rate pursuant to Section 85.7 of Title 74 of the Oklahoma Statutes;~~
- 12 ~~15. Sheltered Workshops;~~
- 13 ~~16. Contracted Group Homes;~~
- 14 ~~17. Rehabilitative Client Interpreters;~~
- 15 ~~18. Rehabilitative Client Drivers; and~~
- 16 ~~19. Maternal and Child Health Services Block Grant.~~

17 ~~The Department of Human Services shall provide to the Director~~

18 ~~of State Finance, for approval prior to inclusion in this procedure,~~

19 ~~detailed listings of the type of payments to be made for each of~~

20 ~~these programs. The Department of Human Services shall provide the~~

21 ~~Director of State Finance a daily report of the dollar amount of~~

22 ~~claims settled and checks or warrants written, the dollar amount of~~

23 ~~checks or warrants canceled, and the dollar amount of checks or~~

24 ~~warrants canceled by statutes.~~

1 ~~C. The State Department of Rehabilitation Services is~~
2 ~~authorized to establish an encumbrance and preaudit system for~~
3 ~~settlement of claims relating to social service benefits and medical~~
4 ~~benefits to or for persons eligible under applicable federal laws~~
5 ~~and regulations, Oklahoma Statutes, and policies established by the~~
6 ~~Commission for Rehabilitation Services for the following programs:~~

- 7 ~~1. Vocational and other rehabilitation;~~
- 8 ~~2. Educational services;~~
- 9 ~~3. Disability Determination Services; and~~
- 10 ~~4. Visual Services.~~

11 ~~The State Department of Rehabilitation Services shall provide to~~
12 ~~the Director of State Finance, for approval prior to inclusion in~~
13 ~~this procedure, detailed listings of the type of payments to be made~~
14 ~~for each of these programs. The State Department of Rehabilitation~~
15 ~~Services shall provide the Director of State Finance a daily report~~
16 ~~of the dollar amount of claims settled and checks or warrants~~
17 ~~written, the dollar amount of checks or warrants canceled, and the~~
18 ~~dollar amount of checks or warrants canceled by statutes.~~

19 ~~D. The Oklahoma State Regents for Higher Education and the~~
20 ~~Director of State Finance shall jointly establish a system for the~~
21 ~~settlement of claims, except for payroll, by entities of The~~
22 ~~Oklahoma State System of Higher Education. The settlement system~~
23 ~~shall include policy, procedures, and performance criteria for~~
24 ~~participation. The State Regents are authorized to approve or~~

1 ~~disapprove the participation of any institution or other entity of~~
2 ~~the State System in the claims settlement system.~~

3 E. 1. The Director of the Office of State Finance shall be
4 authorized to establish necessary agency disbursing funds to
5 efficiently accommodate the cash flow requirements of applicable
6 federal regulations, bond indebtedness and other directives deemed
7 appropriate by the Director ~~of State Finance.~~

8 2. Agencies operating such disbursing funds are authorized to
9 establish a preaudit and settlement system for claims or payments or
10 both relating to the purposes of the stated directives.

11 3. The State Treasurer shall establish procedures for the state
12 in accordance with Federal Banking and National Automated Clearing
13 House Association standards and agencies shall be required to
14 utilize automated clearing house procedures established by the State
15 Treasurer ~~provided that no.~~

16 4. No individual or entity shall be required to have a bank
17 account unless required by federal law or federal regulation.

18 5. Agencies shall be further required to present these
19 transactions to the Office of State Finance in a summarized format
20 and shall include any accounting information necessary as determined
21 by the Director of the Office of State Finance including, but not
22 limited to, information related to ~~Public Law 101 453 the Cash~~
23 ~~Management Improvement Act, 31 U.S.C., Sections 3335, 6501 and 6503~~
24 federal law.

1 6. Administrative expenditures shall not be eligible for these
2 procedures.

3 7. The efficiency of the payment system shall be considered
4 when the interest earnings of the state are not diminished.

5 F. The Director of the Office of State Finance shall be
6 authorized to process payments for federal tax withholding without
7 claim forms. The Director ~~of State Finance~~ shall establish a
8 separate fund for the purpose of accumulating federal income tax
9 withholding from payrolls and remitting same to the United States
10 Treasury.

11 G. ~~The Department of Education and the Oklahoma Department of~~
12 ~~Career and Technology Education are authorized to establish a~~
13 ~~preaudit and settlement system for claims and/or payments of state~~
14 ~~funded assistance to school districts and institutions within The~~
15 ~~Oklahoma State System of Higher Education. The payment system shall~~
16 ~~be neutral as to interest income to the state and the school~~
17 ~~districts.~~

18 H. 1. The Director of the Office of State Finance shall be
19 authorized to process, without claim forms, interest payments to the
20 U.S. Treasury as required by ~~Public Law 101 453, the Cash Management~~
21 ~~Improvement Act, 31 U.S.C., Sections 3335, 6501 and 6503~~ federal
22 law.

23 2. Agencies are responsible for the accrual of such interest
24 liability of the state and shall provide payment to the Office of

1 State Finance in the amount and method prescribed by the Director of
2 the Office of State Finance.

3 3. Any liability of the U.S. Treasury as determined by ~~Public~~
4 ~~Law 101 453, the Cash Management Improvement Act, 31 U.S.C.,~~
5 ~~Sections 3335, 6501 and 6503~~ federal law shall be deposited in the
6 State Treasury and transferred by the Director of the Office of
7 State Finance to the General Revenue Fund of the state subsequent to
8 final determination and necessary audit resolution.

9 ~~I. The State Treasurer shall write checks or warrants in~~
10 ~~payment of claims and payrolls certified to the State Treasurer for~~
11 ~~payment by the Division of Central Accounting and Reporting or the~~
12 ~~Department of Human Services or institutions within The Oklahoma~~
13 ~~State System of Higher Education. The State Treasurer, within such~~
14 ~~limitations as the State Treasurer may prescribe, may authorize the~~
15 ~~Director of State Finance, the Department of Human Services, or an~~
16 ~~institution within The Oklahoma State System of Higher Education to~~
17 ~~write the checks or warrants for payment of claims and payrolls that~~
18 ~~have been certified by the respective agency. The Director of State~~
19 ~~Finance, the Department of Human Services, and The Oklahoma State~~
20 ~~System of Higher Education institutions shall provide the State~~
21 ~~Treasurer a register of each payment for each check or warrant~~
22 ~~written. Provided, in lieu of checks or warrants:~~

23

24

1 ~~1. The Director of State Finance may, with the concurrence of~~
2 ~~the State Treasurer, establish a procedure to effect the settlement~~
3 ~~of interagency claims by transfer entry, and~~

4 ~~2. At the discretion of the State Treasurer, payment of claims~~
5 ~~and payrolls may be made by the electronic transfer of funds.~~

6 ~~Such optional settlement modes may be implemented when the~~
7 ~~authorized officer or officers of the state are satisfied such modes~~
8 ~~will substantially operate to the benefit of the state and without~~
9 ~~sacrifice to the security and integrity of the monies and records of~~
10 ~~the state.~~

11 ~~J. The Director of State Finance is authorized to use a numeric~~
12 ~~or alphanumeric designation to cross reference claims or payrolls to~~
13 ~~check warrant numbers, transfer entry or optional settlement mode~~
14 ~~used in the payment thereof.~~

15 ~~K. The Department of Human Services and the Director of State~~
16 ~~Finance shall jointly establish a system for the settlement of~~
17 ~~claims, except for payroll, by the Department of Human Services.~~
18 ~~The settlement system shall include policy, procedures and~~
19 ~~performance criteria for participation.~~

20 ~~L. The Department of Transportation may establish a preaudit~~
21 ~~and settlement system for claims and payments of state-funded~~
22 ~~contractor estimates and right of way payments. Provided, however,~~
23 ~~that nothing herein shall modify or alter condemnation proceedings~~
24 ~~as provided by law.~~

1 SECTION 42. AMENDATORY 74 O.S. 2001, Section 86.1, is
2 amended to read as follows:

3 Section 86.1 A. To facilitate the payment of vendor invoices
4 and contract estimates, ~~the State Budget Director~~ Director of the
5 Office of State Finance shall ~~design~~ prescribe a uniform ~~jacket~~
6 document to be used by all ~~departments, institutions and~~ agencies of
7 the state, ~~whereon.~~ The document shall ~~be provided~~ provide
8 summarized information relative to the ~~enclosed~~ referenced invoices
9 or contract estimates, together with a space for the approval of the
10 head of the ~~department, institution or~~ agency approving said vendor
11 invoices or contract estimates for payment.

12 B. Vendor invoices and contract estimates shall be accepted by
13 the state in lieu of the claim form previously required in the same
14 manner as commercial invoices are paid.

15 C. Vendor invoices and contract estimates shall be filed with
16 the ~~department, institution or~~ agency receiving the merchandise or
17 services in the same manner as invoices are filed with commercial
18 firms.

19 D. Upon receipt of invoices or contract estimates, the head of
20 the department, institution or agency, or his the agency's
21 authorized agent, may approve said documents for payment ~~by~~
22 ~~executing a certificate~~ as confirmation of delivery or acceptance of
23 the goods or services. Whereupon, ~~the authorized official of said~~
24 ~~agency may approve said~~ approved invoices of contract estimates ~~for~~

1 ~~payment by enclosing the invoice or contract estimate in a jacket~~
2 shall be attached to the document provided for such purpose and
3 ~~affixing his~~ the head of the agency approving such invoices of
4 contract estimates for payment shall affix the approval in the space
5 provided on the jacket document. ~~The provisions of this section~~
6 ~~shall become effective July 1, 1949, and thereafter commercial~~

7 E. Commercial invoices shall be accepted in lieu of the
8 standard notarized claim prescribed by the state.

9 SECTION 43. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 34.66 of Title 62, unless there
11 is created a duplication in numbering, reads as follows:

12 A. The State Treasurer shall write checks or warrants in
13 payment of claims and payrolls certified to the State Treasurer for
14 payment by the Division of Central Accounting and Reporting or:

- 15 1. The Department of Human Services;
- 16 2. The Department of Rehabilitative Services;
- 17 3. The State Department of Health;
- 18 4. The Department of Transportation;
- 19 5. The State Department of Education;
- 20 6. The Oklahoma Department of Career and Technology Education;

21 and

- 22 7. The institutions within the Oklahoma State System of Higher
23 Education.

24

1 B. The State Treasurer, within such limitations as the State
2 Treasurer may prescribe, may authorize the Director of the Office of
3 State Finance and the entities specified in subsection A of this
4 section to issue the checks or warrants for payment of claims and
5 payrolls that have been certified by the respective agency.

6 C. The Director of the Office of State Finance and the entities
7 specified in subsection A of this section shall provide the State
8 Treasurer a register of each payment for each check or warrant
9 issued.

10 D. In lieu of checks or warrants:

11 1. The Director of the Office of State Finance may, with the
12 concurrence of the State Treasurer, settle interagency claims by
13 transfer entry; and

14 2. At the discretion of the State Treasurer, pay claims and
15 payrolls by the electronic transfer of funds.

16 SECTION 44. AMENDATORY 62 O.S. 2001, Section 41.17, is
17 amended to read as follows:

18 Section 41.17 A. ~~The State Budget~~ Director of the Office of
19 State Finance is hereby authorized to ~~revise and~~ prescribe the blank
20 ~~claim~~ forms and electronic systems to process claims and payroll
21 ~~forms~~ to be used by the various agencies of the state. Any agency
22 of the state may file a claim against more than one item of the
23 current ~~appropriation~~ allotments within ~~the same fund~~ funds by
24 indicating on the claim or payroll ~~in the space provided,~~ the

1 ~~allotment~~ account, or accounts to be charged ~~and the State Budget.~~
2 The Director shall approve and charge the same such claim to the
3 account, or accounts, indicated after proper audit ~~and approval of~~
4 the claim or payroll. ~~Payroll forms~~

5 B. These payroll systems are hereby authorized for use in
6 claiming amounts due individually to all employees within a
7 ~~department, board, commission, institution or~~ an agency of the state
8 ~~when the bonded executive head or bonded employee of such spending~~
9 ~~agency certifies on the payroll form that the amount shown after~~
10 ~~each named employee is the amount due for the period of time shown~~
11 ~~on the payroll form.~~ Each payroll ~~form~~ record shall show in
12 ~~separate columns~~ the total earnings, the amount of each type of
13 withholding and the net amount due each employee. Withholdings may
14 be reserved by the ~~Budget~~ Director of the Office of State Finance to
15 be paid to the proper ~~governmental agency~~ entity by ~~subsequent~~ lump
16 sum payments.

17 SECTION 45. AMENDATORY 62 O.S. 2001, Section 41.26, is
18 amended to read as follows:

19 Section 41.26 ~~Individual claims and/or payrolls listing amounts~~
20 ~~claimed by more than one person which are used as the basis for the~~
21 ~~payment of money from the State Treasury from any fund shall be~~
22 ~~approved only by the elected or appointed head of any state~~
23 ~~department, board, commission, institution or agency, or their~~
24 ~~designated administrative employees. Provided, the~~

1 A. The elected or appointed executives of any state agency or
2 their designated administrative employees shall approve individual
3 claims of the agency which are used as the basis for the payment of
4 money from the State Treasury from any fund. These individuals
5 shall be known as the "agency approving officers."

6 B. Payrolls shall show the amount to be paid to each named
7 person for the period of time shown.

8 C. The number of persons authorized to make such approval shall
9 not exceed ~~two~~ five people for any one state ~~department, board,~~
10 ~~commission, institution or~~ agency without the special approval of
11 the Director of the Office of State Finance, ~~and in no case shall~~
12 ~~the number of such persons exceed five.~~

13 D. All ~~officials and employees authorized to approve claims or~~
14 ~~payrolls, if not already under bond for such purpose, agency~~
15 approving officers shall execute a bond issued by a surety company
16 licensed to do business in this state, payable to the state in the
17 amount required by the Director of the Office of State Finance but
18 ~~not to exceed Twenty five Thousand Dollars (\$25,000.00), unless~~
19 ~~otherwise provided by law, less than Fifty Thousand Dollars~~
20 (\$50,000.00) and conditioned for the faithful performance of their
21 duties, ~~with some surety company authorized to do business in this~~
22 ~~state, as surety, which ~~bond~~ shall be approved by the Director of~~
23 the Office of State Finance and filed in the office of the Secretary
24 of State.

1 E. After state claims and/or payrolls have been approved by the
2 above ~~officials and employees~~ agency approving officers, they shall
3 be filed with the Director of the Office of State Finance for
4 auditing and settlement.

5 SECTION 46. AMENDATORY 62 O.S. 2001, Section 7.6, is
6 amended to read as follows:

7 Section 7.6 There is hereby created in the State Treasury a
8 Payroll Fund which shall be used by the Director of the Office of
9 State Finance and the State Treasurer to issue a consolidated
10 payroll for each state ~~department, board, commission, institution or~~
11 agency of the state. Payrolls of state agencies shall be charged
12 against the Payroll Fund created herein. Each state agency shall
13 prepare summary distributions of the amounts of payrolls to be
14 charged against each fund within the State Treasury and the Director
15 ~~of State Finance~~ shall transfer monies from each fund in the State
16 Treasury to the Payroll Fund amounts as shown on payroll
17 distribution summaries, and shall charge such amounts to the
18 ~~appropriation allotment~~ account affected thereby.

19 SECTION 47. AMENDATORY 62 O.S. 2001, Section 7.10, as
20 last amended by Section 1, Chapter 49, O.S.L. 2005 (62 O.S. Supp.
21 2007, Section 7.10), is amended to read as follows:

22 Section 7.10 A. 1. Upon the request of a state employee, a
23 state agency, ~~board, or commission~~ shall make voluntary payroll
24

1 deductions for the employee to any credit union, bank, or savings
2 association having an office in this state.

3 2. If the governing body of any county, municipality, or school
4 district provides for voluntary payroll deductions to a credit union
5 serving the employees of the county, municipality, or school
6 district, it shall provide voluntary payroll deductions to any
7 credit union, bank, or savings association having an office in this
8 state which has a minimum participation of twenty percent (20%) of
9 the employees of the county, municipality, or school district.

10 B. Upon the request of a state employee and pursuant to
11 procedures established by the Administrator of the Office of
12 Personnel Management, a state agency, ~~board, or commission~~ shall
13 make payroll deductions for:

14 1. The payment of any insurance premiums due a private
15 insurance organization with a minimum participation of five hundred
16 (500) state employees for life, accident, and health insurance which
17 is supplemental to that provided for by the state;

18 2. The payment of any insurance premiums due a private
19 insurance organization or service company which is regulated by the
20 State Insurance Commissioner and with a minimum participation of
21 five hundred (500) state employees for legal services;

22 3. Premiums or payments for retirement plans with a minimum
23 participation of five hundred (500) state employees for retirement
24 plans which are supplemental to that provided for by the state;

1 4. Salary adjustment agreements included in a flexible benefits
2 plan as authorized by the State Employees Flexible Benefits Act;

3 5. Membership dues in the Oklahoma Public Employees Association
4 or any other statewide association limited to state employee
5 membership with a minimum membership of one thousand (1,000) dues-
6 paying members. For purposes of this paragraph, state agencies
7 shall accept online or electronically submitted forms from the
8 Oklahoma Public Employees Association and other state employee
9 associations. The Office of Personnel Management shall develop and
10 implement a verification process for online or electronically
11 submitted forms which may include the use of electronic signature
12 technology or other process as determined appropriate;

13 6. Contributions to ~~its~~ any foundation organized pursuant to 26
14 U.S.C., Section 501(c)(3) ~~in~~ of the Oklahoma Public Employees
15 Association or any other statewide association limited to state
16 employee membership with a minimum membership of one thousand
17 (1,000) dues-paying members;

18 7. Payments to a college savings account administered under the
19 Oklahoma College Savings Plan Act pursuant to Section 3970.1 et seq.
20 of Title 70 of the Oklahoma Statutes; and

21 8. Subscriptions to the Oklahoma Today magazine published by
22 the State of Oklahoma through the Oklahoma Tourism and Recreation
23 Department.

24

1 C. The administrative costs of processing payroll deductions or
2 administering salary adjustment agreements for insurance premiums as
3 provided for in subsection B of this section shall be a charge of
4 two percent (2%) of the gross annual premiums for insurance plans.
5 The administrative costs of processing payroll deductions or
6 administering salary adjustment agreements for payments for
7 retirement plans as provided for in subsection B of this section
8 shall be one percent (1%) of the gross annual payments for
9 retirement plans. These charges shall be collected monthly from the
10 private insurance or retirement plan organization by the Office of
11 Personnel Management and shall be deposited to the credit of the
12 General Revenue Fund. Provided that these costs shall not be
13 collected from state employees or state agencies unless otherwise
14 directed in ~~Section 1 et seq. of this title~~ the Oklahoma State
15 Finance Act.

16 D. Any statewide association granted a payroll deduction prior
17 to March 23, 1984, shall be exempt from the minimum state employee
18 membership requirement.

19 E. Approval of a payroll deduction or salary adjustment
20 agreement for any insurance organization, line of coverage or policy
21 shall not be construed as an assumption of liability, for the term
22 of policy or the performance of the insurance organization, by this
23 state, or any of its agencies, ~~boards, commissions, institutions~~ or
24 any officer or employee thereof. Contracts for such insurance shall

1 be in all respects subject to the insurance laws of this state, and
2 shall be enforceable solely pursuant to such laws.

3 F. The Oklahoma Employment Security Commission is authorized to
4 deduct from the wages or salary of its employees the employees'
5 contribution to the Oklahoma Employment Security Commission
6 Retirement Plan.

7 G. Payroll deductions shall be made for premium payments for
8 group insurance for retired members or beneficiaries of any state-
9 supported retirement system upon proper authorization given by the
10 member or beneficiary to the board from which the member or
11 beneficiary is currently receiving retirement benefits.

12 H. Upon request of instructional personnel employed at either
13 the Oklahoma School for the Blind or the Oklahoma School for the
14 Deaf and pursuant to procedures established by the Administrator of
15 the Office of Personnel Management, the Commission for
16 Rehabilitation Services shall make payroll deductions for membership
17 dues in any statewide educational employee organization or
18 association.

19 SECTION 48. AMENDATORY 62 O.S. 2001, Section 41.4a, is
20 amended to read as follows:

21 Section 41.4a ~~By November 1, 1983, the~~ The Director of the
22 Office of State Finance shall establish a procedure to ~~expedite~~
23 issue payment ~~for~~ of a proper invoice for goods or services ~~not~~
24 ~~later~~ within no less than forty-five (45) days from the date on

1 which the invoice ~~is~~ was received in the ~~appropriate~~ office
2 designated by the agency to which the goods or services were sold
3 and delivered.

4 SECTION 49. AMENDATORY 62 O.S. 2001, Section 41.4b, is
5 amended to read as follows:

6 Section 41.4b The Director of the Office of State Finance shall
7 ~~also~~ establish a procedure ~~whereby interest shall be paid from to~~
8 assess and pay interest for the late payment of an invoice, which
9 interest shall be calculated beginning the thirtieth day after
10 receipt by the designated office of a proper invoice for which
11 payment has not been mailed, transmitted, or delivered to a vendor
12 by the close of business on the forty-fifth day. Such interest
13 shall be at an annualized rate ~~as reported by the State Treasurer~~
14 based on an average of the interest rate for thirty-day time
15 deposits of state funds during the last calendar quarter of the last
16 preceding fiscal year, as reported by the State Treasurer.

17 SECTION 50. AMENDATORY 62 O.S. 2001, Section 41.4c, is
18 amended to read as follows:

19 Section 41.4c ~~For the purposes described in this joint~~
20 ~~resolution,~~ a A "proper invoice" means one which is complete in all
21 requirements necessary for processing it for payment in accordance
22 with the terms of appropriate contracts and applicable state or
23 federal statutes, ~~including but not limited to such documentation as~~
24 ~~may be required.~~

1 SECTION 51. AMENDATORY 62 O.S. 2001, Section 41.4d, is
2 amended to read as follows:

3 Section 41.4d Any vendor of goods or services purchased by or
4 delivered to an agency of the state ~~who is aggrieved by delay in~~
5 ~~payment~~ whose payment is delayed beyond the forty-five-day limit
6 ~~and/or~~ who has not been compensated by payment of interest as
7 provided for in ~~this joint resolution~~ the Oklahoma State Finance Act
8 may file ~~such a~~ grievance with the Office of the Governor, ~~by whom~~
9 ~~it shall be transmitted~~ who shall transmit it to the Director of the
10 Office of State Finance. Upon receipt of such grievance, the
11 Director ~~of State Finance~~ shall ~~act~~ pay the total amount of such
12 invoice with interest as required, within fifteen (15) days, to
13 remedy such grievance ~~by payment with interest as provided for in~~
14 ~~this joint resolution, or.~~ If the Director determines that the
15 invoice or interest should not be paid, such determination and the
16 reasons therefor shall ~~report~~ be reported to the Governor and the
17 aggrieved vendor ~~why such payment may not be paid.~~

18 SECTION 52. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 34.75 of Title 62, unless there
20 is created a duplication in numbering, reads as follows:

21 A. The Department of Human Services may establish an
22 encumbrance and preaudit system for settlement of claims relating to
23 public assistance, social service benefits and medical benefits to
24 or for persons eligible under applicable federal laws and rules,

1 Oklahoma Statutes, and policies established by the Oklahoma
2 Commission for Human Services. The following programs shall be
3 eligible for this procedure:

- 4 1. Aid to Families with Dependent Children;
- 5 2. Aid to Aged, Blind and Disabled;
- 6 3. Medical Assistance;
- 7 4. Day Care;
- 8 5. Refugee Resettlement;
- 9 6. Low Income Heating and Energy Assistance;
- 10 7. General Assistance;
- 11 8. Crippled Children;
- 12 9. Social Services under Title XX of the U.S. Social Security
13 Act, 42 U.S.C., Section 301 et seq.;
- 14 10. Adoption Subsidies;
- 15 11. Foster Care;
- 16 12. Medical Examination;
- 17 13. Area Agencies on Aging;
- 18 14. Any contract for service for which the Department of
19 Central Services has approved as qualifying for a fixed and uniform
20 rate pursuant to Section 85.7 of Title 74 of the Oklahoma Statutes;
- 21 15. Sheltered Workshops;
- 22 16. Contracted Group Homes;
- 23 17. Rehabilitative Client Interpreters;
- 24 18. Rehabilitative Client Drivers; and

1 19. Maternal and Child Health Services Block Grant.

2 B. Prior to inclusion in this procedure, the Department of
3 Human Services shall provide to the Director of the Office of State
4 Finance, for approval, detailed listings of the type of payments to
5 be made for each of these programs specified in subsection A of this
6 section.

7 C. The Department of Human Services shall provide the Director
8 of the Office of State Finance a daily report of the dollar amount
9 of claims settled and checks or warrants issued, the dollar amount
10 of checks or warrants canceled, and the dollar amount of checks or
11 warrants canceled by statutes.

12 D. The Department of Human Services and the Director of the
13 Office of State Finance shall jointly establish a system for the
14 settlement of claims, except for payroll, by the Department of Human
15 Services. The settlement system shall include policy, procedures
16 and performance criteria for participation.

17 SECTION 53. AMENDATORY 62 O.S. 2001, Section 41.16a, is
18 amended to read as follows:

19 Section 41.16a A. The State Department of Health is authorized
20 to enter into contracts with third party administrators to establish
21 a system for processing claims for payment pursuant to the United
22 States Department of Agriculture Women, Infants and Children
23 Supplemental Nutrition Program.

1 B. The State Board of Health shall promulgate rules and develop
2 procedures necessary for implementation and administration of the
3 system. ~~The State Department of Health shall implement the system~~
4 ~~by January 1, 1993.~~

5 C. The State Board of Health is authorized to develop
6 procedures that allow for the payment of gross vouchers received by
7 a third party administrator adjusted by returned items or any other
8 disallowances.

9 D. The State Department of Health is authorized to transfer
10 ~~funds from~~ any available federal or revolving ~~or federal~~ funds
11 ~~available~~ to their WIC Disbursing Fund as needed for the purpose of
12 providing cash flow until federal funds are received. Any such
13 funds transferred into the WIC Disbursing Fund shall be transferred
14 back to the original fund source before the end of the fiscal year
15 in which the transfer was made.

16 SECTION 54. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 34.77 of Title 62, unless there
18 is created a duplication in numbering, reads as follows:

19 A. The State Department of Rehabilitation Services is
20 authorized to establish an encumbrance and preaudit system for
21 settlement of claims relating to social service benefits and medical
22 benefits to or for persons eligible under applicable federal laws
23 and regulations, Oklahoma Statutes, and policies established by the
24 Commission for Rehabilitation Services for the following programs:

- 1 1. Vocational and other rehabilitation;
- 2 2. Educational services;
- 3 3. Disability Determination Services; and
- 4 4. Visual Services.

5 B. Prior to inclusion in this procedure, the State Department
6 of Rehabilitation Services shall provide to the Director of the
7 Office of State Finance, for approval, detailed listings of the type
8 of payments to be made for each of these programs specified in
9 subsection A of this section.

10 C. The State Department of Rehabilitation Services shall
11 provide the Director of the Office of State Finance a daily report
12 of the dollar amount of claims settled and checks or warrants
13 issued, the dollar amount of checks or warrants canceled, and the
14 dollar amount of checks or warrants canceled by statutes.

15 SECTION 55. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 34.78 of Title 62, unless there
17 is created a duplication in numbering, reads as follows:

18 A. The Oklahoma State Regents for Higher Education and the
19 Director of the Office of State Finance shall jointly establish a
20 system for the settlement of claims, except for payroll, by
21 institutions of the Oklahoma State System of Higher Education. The
22 settlement system shall include policy, procedures, and performance
23 criteria for participation. The State Regents may approve or
24

1 disapprove the participation of any institution or other entity of
2 the State System in the claims settlement system.

3 B. The Department of Education and the Oklahoma Department of
4 Career and Technology Education may establish a preaudit and
5 settlement system for claims and/or payments of state funded
6 assistance to school districts and institutions within The Oklahoma
7 State System of Higher Education. The payment system shall be
8 neutral as to interest income to the state and the school districts.

9 SECTION 56. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 34.79 of Title 62, unless there
11 is created a duplication in numbering, reads as follows:

12 A. The Department of Transportation may establish a preaudit
13 and settlement system for claims and payments of state-funded
14 contractor estimates and right-of-way payments.

15 B. Nothing in this section shall modify or alter condemnation
16 proceedings as provided by law.

17 SECTION 57. AMENDATORY 62 O.S. 2001, Section 41.19, is
18 amended to read as follows:

19 Section 41.19 A. ~~All bonds and interest coupons redeemed by~~
20 ~~the State Treasurer and a duplicate of each and every receipt issued~~
21 ~~for monies received into the State Treasury, shall be delivered~~
22 ~~immediately to, and receipted for, by the Director of State Finance~~
23 ~~who shall maintain such documents as a permanent record of his or~~
24 ~~her office. It shall be the duty of the Director of State Finance~~

1 ~~to audit such redeemed documents and to apportion and distribute the~~
2 ~~collections as indicated by the State Treasury receipts to the~~
3 ~~respective funds and account to which the same shall have accrued,~~
4 ~~or may belong. All warrants and checks redeemed by the State~~
5 ~~Treasurer shall be maintained by the State Treasurer in accordance~~
6 ~~with the provisions of Sections 305 through 317 of Title 67 of the~~
7 ~~Oklahoma Statutes. In the event that nonpayable warrants are issued~~
8 ~~pursuant to the provisions of Section 23 of Article X of the~~
9 ~~Constitution of the State of Oklahoma, it shall be the duty of the~~
10 ~~Director of State Finance to issue and publish the official call for~~
11 ~~payment for any warrants that may be outstanding and registered as~~
12 ~~"nonpayable". Notice of such call shall be published in some~~
13 ~~newspaper of general circulation, published at the seat of~~
14 ~~government, and interest on all warrants so called for payment shall~~
15 ~~cease on or after ten (10) days from the date of the first~~
16 ~~publication of such notice. The Director of State Finance shall be~~
17 ~~responsible for the custody of claims certified for payment which~~
18 ~~call for the disbursement of money from the Treasury. Such claims~~
19 ~~shall be maintained in files accessible to the Division of Central~~
20 ~~Accounting and Reporting and the employees of the Division of~~
21 ~~Central Accounting and Reporting shall have authority to inspect~~
22 ~~such claims for the purpose of making accounting adjustments on the~~
23 ~~records maintained by the Director of State Finance.~~

24

1 ~~B.~~ All warrants, checks or orders issued by the State Treasurer
2 against claims submitted through the ~~Director~~ Office of State
3 Finance in payment of obligations of the state which shall for any
4 cause remain outstanding or unpaid for a period of ninety (90) days
5 after funds are available for their payment shall be revoked and
6 canceled.

7 ~~The Director of State Finance shall forthwith make proper entry~~
8 ~~thereof on~~ B. Such warrants, checks or orders shall be entered into
9 the records of ~~his or her office~~ the Office of State Finance and
10 ~~shall notify both~~ the State Treasurer and the administrative head of
11 the agency certifying the claim for payment ~~of the fact of such~~
12 ~~entry of cancellation. Thereafter, no such warrants shall be paid~~
13 ~~except that the holder of any warrant that may be canceled pursuant~~
14 ~~to the provisions of this section, may, within thirty six (36)~~
15 ~~months following the month in which the warrant was canceled,~~
16 ~~present the warrant or an affidavit of loss or destruction, and a~~
17 ~~request for reissue to the Director of State Finance who shall on~~
18 ~~the third Monday of each month certify a claim for payment of those~~
19 ~~verified unpaid requests presented during months past~~ shall be
20 notified that such items have been canceled.

21 C. If, for any reason, a warrant should not be issued to
22 replace a warrant canceled pursuant to the provisions of this
23 section, the administrative head of the agency originally certifying
24 the claim for payment shall, within seven (7) days after

1 notification of the cancellation, advise the Director of the Office
2 of State Finance that a reissue should not be made. ~~Warrants~~

3 D. Notwithstanding the provisions of subsection B of this
4 section, warrants issued or caused to be issued by the Department of
5 Human Services for public assistance or medical assistance may be
6 reissued at any time within three (3) years after cancellation upon
7 submission of the canceled warrants to the Department, ~~provided the~~
8 ~~three year limitation shall not apply to warrants issued prior to~~
9 May 1, 1992.

10 ~~C.~~ E. No canceled warrants shall be paid, except that the
11 holder of any warrant that may have been canceled pursuant to the
12 provisions of this section may, within thirty-six (36) months
13 following the month in which the warrant was canceled, present the
14 warrant or an affidavit of loss or destruction, and a request for
15 reissuance to the Director of the Office of State Finance.

16 F. The Director of the Office of State Finance shall certify a
17 claim as needed for payment of those verified unpaid requests
18 presented, unless the certifying agency has advised that a
19 reissuance should not be made.

20 G. 1. There is hereby created in the State Treasury a fund to
21 be known as the Canceled Warrant Fund.

22 2. The Director of the Office of State Finance shall transfer
23 to the Canceled Warrant Fund the total of the payable amounts of the
24 warrants canceled pursuant to the provisions of this section from

1 the funds and accounts against which the canceled warrants had been
2 drawn, ~~and~~.

3 3. The Office of State Finance shall disburse from the fund
4 such amounts as necessary to pay warrants reissued as provided in
5 this section. ~~The expenditure~~

6 4. These expenditures shall ~~be~~ remain recorded in the ~~fund~~
7 funds and ~~account~~ accounts against which the original canceled
8 ~~warrant was~~ warrants were issued and ~~disbursements from the Canceled~~
9 ~~Warrant Fund~~ they shall not be considered expenses of the state nor
10 shall receipts to the fund be considered revenue to the state.

11 ~~Claims~~

12 5. Any such claim drawn against the Canceled Warrant Fund shall
13 identify the current holder of record and the warrant number of the
14 canceled warrant, which shall be provided on the warrant record.

15 ~~D. H.~~ H. The Director of the Office of State Finance shall
16 determine the minimum necessary balance to be maintained in the
17 Canceled Warrant Fund and on the third Monday of October shall
18 transfer the amount in excess of the required minimum balance to the
19 General Revenue Fund of the current year. The minimum balance
20 retained shall be not less than the total amount of the warrants
21 canceled by statute within the past thirty-six (36) months preceding
22 October 1 of each year and which remain eligible for replacement
23 according to the records of the Office of State Finance.

24

1 SECTION 58. AMENDATORY 74 O.S. 2001, Section 34, is
2 amended to read as follows:

3 Section 34. A. The State Treasurer is hereby authorized and
4 empowered to issue a replacement warrant or bond in lieu of any
5 warrant or bond that has been lost or destroyed; provided, that no
6 replacement warrant or bond shall be issued until an affidavit
7 setting forth the facts as to the loss or destruction of said
8 original warrant or bond has been filed with the ~~State Treasurer~~
9 Director of the Office of State Finance.

10 B. The Director ~~of State Finance~~ and the State Treasurer shall
11 ~~make such~~ maintain appropriate records in their ~~respective~~ offices
12 ~~as will, as nearly as possible, preclude any loss being sustained by~~
13 to prevent, as nearly as reasonably possible, the state on account
14 ~~of the issue of~~ from mistakenly issuing any replacement warrant or
15 bond.

16 C. Such ~~entries~~ records shall include a stop payment order
17 against the original warrant ~~which will, as nearly as possible, to~~
18 ~~cancel said~~ the original warrant. ~~The~~

19 D. For such lost or destroyed miscellaneous warrants, the
20 Director of the Office of State Finance shall cancel the original
21 warrant record and process a replacement warrant against the
22 original disbursement claim when possible, or otherwise shall
23 transfer to the Canceled Warrant Fund the payable amount of lost or
24 destroyed warrants on which payment has been stopped pursuant to the

1 provisions of this section from the fund and account against which
2 said warrant had been drawn. ~~Warrants issued to replace lost or~~
3 ~~destroyed warrants pursuant to the provisions of this section shall~~
4 ~~be drawn against~~ and issue a replacement from the Canceled Warrant
5 Fund.

6 E. For lost or destroyed payroll warrants, the Director of the
7 Office of State Finance shall issue all payroll replacement warrants
8 pursuant to the provisions of this section from the Canceled Warrant
9 Fund. The Director shall allow the original payroll warrant record
10 to cancel by statute and shall transfer to the Canceled Warrant Fund
11 the payable amount to cover the lost or destroyed warrants on which
12 payment has been stopped pursuant to the provisions of this section
13 from the fund and account against which the warrant had been drawn.

14 SECTION 59. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 34.82 of Title 62, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Disbursement information for all bonds and interest coupons
18 redeemed by the State Treasurer shall be delivered to the Director
19 of the Office of State Finance for posting. Deposit information for
20 each and every receipt issued for monies received into the State
21 Treasury shall be receipted for by the Office of State Finance.

22 B. Such information shall be maintained as a permanent record
23 in the Office of State Finance.

24

1 C. The Office of State Finance shall audit such redeemed
2 information and apportion and distribute the collections as
3 indicated by the State Treasury receipts.

4 D. All warrants and checks redeemed by the State Treasurer
5 shall be maintained by the State Treasurer in accordance with state
6 law.

7 SECTION 60. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 34.83 of Title 62, unless there
9 is created a duplication in numbering, reads as follows:

10 A. If nonpayable warrants are issued pursuant to the provisions
11 of Section 23 of Article X of the Oklahoma Constitution, the
12 Director of the Office of State Finance shall issue and publish the
13 official call for payment for any warrants that may be outstanding
14 and registered as "nonpayable".

15 B. Notice of such call shall be published in some newspaper of
16 general circulation, published at the seat of government, and
17 interest on all warrants so called for payment shall cease on or
18 after ten (10) days from the date of the first publication of such
19 notice.

20 C. The Director of the Office of State Finance shall be
21 responsible for the custody of claims certified for payment which
22 call for the disbursement of money from the Treasury.

23 D. Such claims shall be maintained in files accessible to the
24 Division of Central Accounting and Reporting and the employees of

1 the Division of Central Accounting and Reporting shall have
2 authority to inspect such claims for the purpose of making
3 accounting adjustments in the records maintained by the Office of
4 State Finance.

5 SECTION 61. AMENDATORY 62 O.S. 2001, Section 41.27, is
6 amended to read as follows:

7 Section 41.27 A. The Governor ~~may, in his~~ shall have
8 ~~discretion, to~~ issue a deficiency certificate or certificates, for
9 the benefit of any ~~department, institution, or~~ agency of the state,
10 if the amount of such deficiency certificate, or certificates, ~~be~~ is
11 within the limit of the current appropriation for that ~~department,~~
12 ~~institution, or agency, whereupon the~~

13 B. The State Treasurer shall issue warrants to the extent of
14 such certificate or certificates for the payment of such claims as
15 may be authorized by the Governor, ~~and such.~~

16 C. Such warrants shall become a part of the public debt and
17 shall be paid out of any money appropriated by the Legislature and
18 made lawfully available therefor, ~~provided further, that in.~~

19 D. In no event shall said deficiency certificate, or
20 certificates, exceed in the aggregate the sum of Five Hundred
21 Thousand Dollars (\$500,000.00), in any fiscal year.

22 SECTION 62. AMENDATORY 62 O.S. 2001, Section 41.29e, as
23 last amended by Section 5, Chapter 355, O.S.L. 2007 (62 O.S. Supp.
24 2007, Section 41.29e), is amended to read as follows:

1 Section 41.29e A. There is hereby created in the State
2 Treasury a revolving fund for the Oklahoma State Regents for Higher
3 Education to be designated the "Oklahoma Student Aid Revolving
4 Fund". The fund shall be a continuing fund, not subject to fiscal
5 year limitations, and shall consist of monies received pursuant to
6 the provisions of subparagraph c of paragraph 2 and subparagraph c
7 of paragraph 3 of Section 1004 of Title 68 of the Oklahoma Statutes
8 and any funds previously deposited in the Oklahoma Tuition
9 Scholarship Fund. All monies accruing to the credit of the fund are
10 hereby appropriated and may be budgeted and expended by the Oklahoma
11 State Regents for Higher Education as authorized by the Oklahoma
12 Legislature. Expenditures from said fund shall be made upon
13 warrants issued by the State Treasurer against claims filed as
14 prescribed by law with the Director of the Office of State Finance
15 for approval and payment.

16 B. Beginning with fiscal year 2003, monies accruing to the
17 credit of the Oklahoma Student Aid Revolving Fund shall be
18 appropriated for and budgeted and expended for providing student aid
19 in the form of state tuition aid grants awarded pursuant to the
20 Higher Education Tuition Aid Act and scholarships awarded pursuant
21 to the Oklahoma State Regents' Academic Scholars Program.

22 SECTION 63. REPEALER 62 O.S. 2001, Sections 41.1 and
23 41.37, are hereby repealed.

24

1 SECTION 64. RECODIFICATION 62 O.S. 2001, Section 2, as
2 amended by Section 2 of this act, shall be recodified as Section
3 34.1 of Title 62 of the Oklahoma Statutes, unless there is created a
4 duplication in numbering.

5 62 O.S. 2001, Section 41.7b, as amended by Section 3 of this
6 act, shall be recodified as Section 34.2 of Title 62 of the Oklahoma
7 Statutes, unless there is created a duplication in numbering.

8 62 O.S. 2001, Section 41.3, as amended by Section 4 of this act,
9 shall be recodified as Section 34.3 of Title 62 of the Oklahoma
10 Statutes, unless there is created a duplication in numbering.

11 62 O.S. 2001, Section 41.40, as amended by Section 5 of this
12 act, shall be recodified as Section 34.4 of Title 62 of the Oklahoma
13 Statutes, unless there is created a duplication in numbering.

14 62 O.S. 2001, Section 41.2, as amended by Section 6 of this act,
15 shall be recodified as Section 34.5 of Title 62 of the Oklahoma
16 Statutes, unless there is created a duplication in numbering.

17 62 O.S. 2001, Section 41.4, as amended by Section 7 of this act,
18 shall be recodified as Section 34.6 of Title 62 of the Oklahoma
19 Statutes, unless there is created a duplication in numbering.

20 62 O.S. 2001, Section 41.23, as amended by Section 8 of this
21 act, shall be recodified as Section 34.7 of Title 62 of the Oklahoma
22 Statutes, unless there is created a duplication in numbering.

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1 62 O.S. 2001, Section 41.42, as amended by Section 9 of this
2 act, shall be recodified as Section 34.8 of Title 62 of the Oklahoma
3 Statutes, unless there is created a duplication in numbering.

4 62 O.S. 2001, Section 7.5, as amended by Section 10 of this act,
5 shall be recodified as Section 34.9 of Title 62 of the Oklahoma
6 Statutes, unless there is created a duplication in numbering.

7 62 O.S. 2001, Section 7.13, as amended by Section 11 of this
8 act, shall be recodified as Section 34.10 of Title 62 of the
9 Oklahoma Statutes, unless there is created a duplication in
10 numbering.

11 62 O.S. 2001, Section 41.5, as amended by Section 12 of this
12 act, shall be recodified as Section 34.11 of Title 62 of the
13 Oklahoma Statutes, unless there is created a duplication in
14 numbering.

15 62 O.S. 2001, Section 41.5a, as last amended by Section 1,
16 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5a), shall
17 be recodified as Section 34.12 of Title 62 of the Oklahoma Statutes,
18 unless there is created a duplication in numbering.

19 62 O.S. 2001, Section 41.5a-1, as amended by Section 2, Chapter
20 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5a-1), shall be
21 recodified as Section 34.13 of Title 62 of the Oklahoma Statutes,
22 unless there is created a duplication in numbering.

23 Section 5, Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2007, Section
24 41.5a-2), shall be recodified as Section 34.14 of Title 62 of the

1 Oklahoma Statutes, unless there is created a duplication in
2 numbering.

3 Section 3, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2007, Section
4 41.5a-3), shall be recodified as Section 34.15 of Title 62 of the
5 Oklahoma Statutes, unless there is created a duplication in
6 numbering.

7 62 O.S. 2001, Section 41.5e, as last amended by Section 3,
8 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5e), shall
9 be recodified as Section 34.16 of Title 62 of the Oklahoma Statutes,
10 unless there is created a duplication in numbering.

11 62 O.S. 2001, Section 41.5f, as amended by Section 1, Chapter
12 148, O.S.L. 2007 (62 O.S. Supp. 2007, Section 41.5f), shall be
13 recodified as Section 34.17 of Title 62 of the Oklahoma Statutes,
14 unless there is created a duplication in numbering.

15 62 O.S. 2001, Section 41.5g, as last amended by Section 13 of
16 this act, shall be recodified as Section 34.18 of Title 62 of the
17 Oklahoma Statutes, unless there is created a duplication in
18 numbering.

19 62 O.S. 2001, Section 41.5h, as amended by Section 4, Chapter
20 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5h), shall be
21 recodified as Section 34.19 of Title 62 of the Oklahoma Statutes,
22 unless there is created a duplication in numbering.

23 62 O.S. 2001, Section 41.5i, as last amended by Section 5,
24 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5i), shall

1 be recodified as Section 34.20 of Title 62 of the Oklahoma Statutes,
2 unless there is created a duplication in numbering.

3 62 O.S. 2001, Section 41.5j, as amended by Section 6, Chapter
4 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5j), shall be
5 recodified as Section 34.21 of Title 62 of the Oklahoma Statutes,
6 unless there is created a duplication in numbering.

7 62 O.S. 2001, Section 41.5l, as amended by Section 8, Chapter
8 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5l), shall be
9 recodified as Section 34.22 of Title 62 of the Oklahoma Statutes,
10 unless there is created a duplication in numbering.

11 62 O.S. 2001, Section 41.5m, as amended by Section 9, Chapter
12 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5m), shall be
13 recodified as Section 34.23 of Title 62 of the Oklahoma Statutes,
14 unless there is created a duplication in numbering.

15 62 O.S. 2001, Section 41.5p, as amended by Section 10, Chapter
16 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5p), shall be
17 recodified as Section 34.24 of Title 62 of the Oklahoma Statutes,
18 unless there is created a duplication in numbering.

19 62 O.S. 2001, Section 41.5q, as amended by Section 11, Chapter
20 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5q), shall be
21 recodified as Section 34.25 of Title 62 of the Oklahoma Statutes,
22 unless there is created a duplication in numbering.

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1 62 O.S. 2001, Section 41.5r, shall be recodified as Section
2 34.26 of Title 62 of the Oklahoma Statutes, unless there is created
3 a duplication in numbering.

4 62 O.S. 2001, Section 41.5s, as amended by Section 12, Chapter
5 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5s), shall be
6 recodified as Section 34.27 of Title 62 of the Oklahoma Statutes,
7 unless there is created a duplication in numbering.

8 Section 2, Chapter 128, O.S.L. 2004, as amended by Section 3,
9 Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2007, Section 41.5t), shall
10 be recodified as Section 34.28 of Title 62 of the Oklahoma Statutes,
11 unless there is created a duplication in numbering.

12 Section 3, Chapter 128, O.S.L. 2004, as amended by Section 13,
13 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5t.1),
14 shall be recodified as Section 34.29 of Title 62 of the Oklahoma
15 Statutes, unless there is created a duplication in numbering.

16 Section 4, Chapter 128, O.S.L. 2004, as last amended by Section
17 3, Chapter 98, O.S.L. 2007 (62 O.S. Supp. 2007, Section 41.5t.2),
18 shall be recodified as Section 34.30 of Title 62 of the Oklahoma
19 Statutes, unless there is created a duplication in numbering.

20 Section 4, Chapter 391, O.S.L. 2005, as amended by Section 1,
21 Chapter 310, O.S.L. 2006 (62 O.S. Supp. 2007, Section 41.5u), shall
22 be recodified as Section 34.31 of Title 62 of the Oklahoma Statutes,
23 unless there is created a duplication in numbering.

24

1 Section 15, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2007,
2 Section 41.5v), shall be recodified as Section 34.32 of Title 62 of
3 the Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 Section 1, Chapter 205, O.S.L. 2007 (62 O.S. Supp. 2007, Section
6 41.5x), shall be recodified as Section 34.33 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.31, as amended by Section 14 of this
10 act, shall be recodified as Section 34.34 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.30, as amended by Section 15 of this
14 act, shall be recodified as Section 34.35 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.29, as last amended by Section 16 of
18 this act, shall be recodified as Section 34.36 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.34, as amended by Section 17 of this
22 act, shall be recodified as Section 34.37 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 41.33, as amended by Section 18 of this
2 act, shall be recodified as Section 34.38 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 9.10, as amended by Section 19 of this
6 act, shall be recodified as Section 34.39 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.11, as amended by Section 20 of this
10 act, shall be recodified as Section 34.40 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.6, as amended by Section 21 of this
14 act, shall be recodified as Section 34.41 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.7c, as amended by Section 22 of this
18 act, shall be recodified as Section 34.42 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.41, as amended by Section 23 of this
22 act, shall be recodified as Section 34.43 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 41.32, as amended by Section 24 of this
2 act, shall be recodified as Section 34.44 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.39, as amended by Section 25 of this
6 act, shall be recodified as Section 34.45 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 9.1, as amended by Section 26 of this act,
10 shall be recodified as Section 34.46 of Title 62 of the Oklahoma
11 Statutes, unless there is created a duplication in numbering.

12 62 O.S. 2001, Section 41.15, as amended by Section 27 of this
13 act, shall be recodified as Section 34.47 of Title 62 of the
14 Oklahoma Statutes, unless there is created a duplication in
15 numbering.

16 62 O.S. 2001, Section 41.8, as amended by Section 28 of this
17 act, shall be recodified as Section 34.48 of Title 62 of the
18 Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 62 O.S. 2001, Section 41.9, as amended by Section 29 of this
21 act, shall be recodified as Section 34.49 of Title 62 of the
22 Oklahoma Statutes, unless there is created a duplication in
23 numbering.

24

1 62 O.S. 2001, Section 41.13, as amended by Section 30 of this
2 act, shall be recodified as Section 34.50 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.10, as amended by Section 31 of this
6 act, shall be recodified as Section 34.51 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.46, as amended by Section 32 of this
10 act, shall be recodified as Section 34.52 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.14, as amended by Section 33 of this
14 act, shall be recodified as Section 34.53 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 10.1, as amended by Section 34 of this
18 act, shall be recodified as Section 34.54 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 10.3, as amended by Section 35 of this
22 act, shall be recodified as Section 34.55 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 7.2, as last amended by Section 36 of this
2 act, shall be recodified as Section 34.56 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 7.1, shall be recodified as Section 34.57
6 of Title 62 of the Oklahoma Statutes, unless there is created a
7 duplication in numbering.

8 62 O.S. 2001, Section 7.3, as amended by Section 37 of this act,
9 shall be recodified as Section 34.58 of Title 62 of the Oklahoma
10 Statutes, unless there is created a duplication in numbering.

11 62 O.S. 2001, Section 7.4, shall be recodified as Section 34.59
12 of Title 62 of the Oklahoma Statutes, unless there is created a
13 duplication in numbering.

14 62 O.S. 2001, Section 7.5a, shall be recodified as Section 34.60
15 of Title 62 of the Oklahoma Statutes, unless there is created a
16 duplication in numbering.

17 62 O.S. 2001, Section 41.13a, as amended by Section 38 of this
18 act, shall be recodified as Section 34.61 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.16, as amended by Section 39 of this
22 act, shall be recodified as Section 34.62 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 41.18, as amended by Section 40 of this
2 act, shall be recodified as Section 34.63 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.21, as last amended by Section 41 of
6 this act, shall be recodified as Section 34.64 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 74 O.S. 2001, Section 86.1, as amended by Section 42 of this
10 act, shall be recodified as Section 34.65 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.17, as amended by Section 44 of this
14 act, shall be recodified as Section 34.67 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.26, as amended by Section 45 of this
18 act, shall be recodified as Section 34.68 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 7.6, as amended by Section 46 of this act,
22 shall be recodified as Section 34.69 of Title 62 of the Oklahoma
23 Statutes, unless there is created a duplication in numbering.

24

1 62 O.S. 2001, Section 7.10, as last amended by Section 47 of
2 this act, shall be recodified as Section 34.70 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.4a, as amended by Section 48 of this
6 act, shall be recodified as Section 34.71 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.4b, as amended by Section 49 of this
10 act, shall be recodified as Section 34.72 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.4c, as amended by Section 50 of this
14 act, shall be recodified as Section 34.73 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.4d, as amended by Section 51 of this
18 act, shall be recodified as Section 34.74 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.16a, as amended by Section 53 of this
22 act, shall be recodified as Section 34.76 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 41.19, as amended by Section 57 of this
2 act, shall be recodified as Section 34.80 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 74 O.S. 2001, Section 34, as amended by Section 58 of this act,
6 shall be recodified as Section 34.81 of Title 62 of the Oklahoma
7 Statutes, unless there is created a duplication in numbering.

8 62 O.S. 2001, Section 41.27, as amended by Section 61 of this
9 act, shall be recodified as Section 34.84 of Title 62 of the
10 Oklahoma Statutes, unless there is created a duplication in
11 numbering.

12 62 O.S. 2001, Section 41.28, shall be recodified as Section
13 34.85 of Title 62 of the Oklahoma Statutes, unless there is created
14 a duplication in numbering.

15 Section 1, Chapter 132, O.S.L. 2003 (62 O.S. Supp. 2007, Section
16 9.11), shall be recodified as Section 34.86 of Title 62 of the
17 Oklahoma Statutes, unless there is created a duplication in
18 numbering.

19 Section 4, Chapter 355, O.S.L. 2007 (62 O.S. Supp. 2007, Section
20 10.4), shall be recodified as Section 34.87 of Title 62 of the
21 Oklahoma Statutes, unless there is created a duplication in
22 numbering.

23

24

1 62 O.S. 2001, Section 41.29a, shall be recodified as Section
2 34.88 of Title 62 of the Oklahoma Statutes, unless there is created
3 a duplication in numbering.

4 62 O.S. 2001, Section 41.29b, as last amended by Section 16,
5 Chapter 322, O.S.L. 2004 (62 O.S. Supp. 2007, Section 41.29b), shall
6 be recodified as Section 34.89 of Title 62 of the Oklahoma Statutes,
7 unless there is created a duplication in numbering.

8 62 O.S. 2001, Section 41.29c, shall be recodified as Section
9 34.90 of Title 62 of the Oklahoma Statutes, unless there is created
10 a duplication in numbering.

11 62 O.S. 2001, Section 41.29d, shall be recodified as Section
12 34.91 of Title 62 of the Oklahoma Statutes, unless there is created
13 a duplication in numbering.

14 62 O.S. 2001, Section 41.29e, as last amended by Section 62 of
15 this act, shall be recodified as Section 34.92 of Title 62 of the
16 Oklahoma Statutes, unless there is created a duplication in
17 numbering.

18 62 O.S. 2001, Section 41.29f, shall be recodified as Section
19 34.93 of Title 62 of the Oklahoma Statutes, unless there is created
20 a duplication in numbering.

21 Section 6, Chapter 301, O.S.L. 2002 (62 O.S. Supp. 2007, Section
22 41.29g), shall be recodified as Section 34.94 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 Section 2, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2007, Section
2 41.29-1), shall be recodified as Section 34.95 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.47, as amended by Section 3, Chapter
6 301, O.S.L. 2003 (62 O.S. Supp. 2007, Section 41.47), shall be
7 recodified as Section 34.96 of Title 62 of the Oklahoma Statutes,
8 unless there is created a duplication in numbering.

9 62 O.S. 2001, Section 41.24, shall be recodified as Section
10 212.4 of Title 74 of the Oklahoma Statutes, unless there is created
11 a duplication in numbering.

12 SECTION 65. This act shall become effective July 1, 2008.

13 SECTION 66. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

17

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