

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3054 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Chris Benge

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3054

By: Bengé

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to cities and towns; creating the
9 Municipal Fiscal Impact Act; providing for bills with
10 a certain fiscal impact to be assigned to a certain
11 committee; providing for committee procedure;
12 authorizing the Legislative Service Bureau to enter
13 into certain contracts; providing for fiscal impact
14 statement; requiring bills with a certain fiscal
15 impact be introduced at certain time; providing
16 exception; providing for codification; and providing
17 an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 17-301 of Title 11, unless there
21 is created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "Municipal
23 Fiscal Impact Act".

24 SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 17-302 of Title 11, unless there
is created a duplication in numbering, reads as follows:

1 A. When a bill that would have a direct adverse fiscal impact
2 on municipalities is introduced, it shall be assigned to the
3 respective Senate or House of Representatives standing committee or
4 subcommittee that is primarily responsible for the consideration of
5 legislation pertaining to municipalities. If a majority of the
6 total membership of the committee is opposed to the bill on its
7 merits, no fiscal impact statement shall be necessary, and the bill
8 shall not be reported out by the committee and shall not be adopted
9 or considered by the House of Representatives or the Senate. If a
10 majority of the committee wishes to consider the bill further and
11 votes in favor of a fiscal impact statement for the bill, a fiscal
12 impact statement shall be required identifying the amount of the
13 fiscal impact and any dedicated source of revenue that will be used
14 to fund the proposed mandate. Except as otherwise provided by
15 subsection B of this section, no bill having a direct adverse fiscal
16 impact on municipalities shall be reported out of the committee to
17 which it is assigned or be considered or adopted by the House of
18 Representatives or the Senate unless an analysis of the fiscal
19 impact of the bill is made.

20 B. The committee to which a bill having a direct adverse fiscal
21 impact on municipalities is assigned following its introduction may
22 amend the bill to become a nonfiscal bill. Only the committee to
23 which a bill having a direct adverse fiscal impact on municipalities
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1 is originally assigned following its introduction may convert the
2 bill to a nonfiscal bill as authorized in this subsection.

3 C. The Legislative Service Bureau is authorized and directed to
4 enter into a contract with a person or entity for the purposes of
5 performing the services and duties required by the Municipal Fiscal
6 Impact Act.

7 D. The fiscal impact statement required by this section shall
8 address the specific language of the proposed mandate. A fiscal
9 impact statement on a similar bill or proposal in a different
10 jurisdiction is insufficient and does not meet the requirements of
11 the Municipal Fiscal Impact Act.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 17-303 of Title 11, unless there
14 is created a duplication in numbering, reads as follows:

15 A. Any bill specifically affecting Oklahoma municipalities
16 which would have a direct adverse fiscal impact on Oklahoma
17 municipalities in excess of One Hundred Thousand Dollars
18 (\$100,000.00) without a dedicated federal, state, or local revenue
19 source to fully fund the proposed mandate may be introduced
20 according to the applicable deadlines established by the House of
21 Representatives or Senate in any odd-numbered year during the
22 regular session. Any such bill may be passed by the Legislature
23 only during an even-numbered year of the regular session. Any such

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1 bill may be introduced in an even-numbered year, but shall not be
2 considered by the Legislature during that year.

3 B. Notwithstanding the provisions of subsection A of this
4 section, any bill which would have a direct adverse fiscal impact on
5 Oklahoma municipalities in excess of One Hundred Thousand Dollars
6 (\$100,000.00) as provided for in subsection A of this section may be
7 introduced, considered and enacted in any year of the regular
8 session of the Legislature if the bill is introduced solely for the
9 purpose of an unforeseen emergency situation that needs to be
10 addressed immediately. The bill shall only be considered if two-
11 thirds (2/3) of the membership of the originating house vote to
12 allow the bill to be considered.

13 SECTION 4. This act shall become effective November 1, 2010.

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15 52-2-9676 LRB 02/10/10

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