

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 829

By: Corn of the Senate

and

Brannon of the House

6
7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to state government; amending 74 O.S.
11 2001, Section 500.2, as last amended by Section 1,
12 Chapter 321, O.S.L. 2008 (74 O.S. Supp. 2008, Section
13 500.2), which relates to the State Travel
14 Reimbursement Act; modifying authorized reimbursement
15 for certain persons; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 74 O.S. 2001, Section 500.2, as
19 last amended by Section 1, Chapter 321, O.S.L. 2008 (74 O.S. Supp.
20 2008, Section 500.2), is amended to read as follows:

21 Section 500.2 A. Officials and employees of the state,
22 traveling on authorized state business, may be reimbursed for
23 expenses incurred in such travel in accordance with the provisions
24 of the State Travel Reimbursement Act and existing statutes relating
to state travel. Persons who are not state employees, but who are

1 performing substantial and necessary services to the state which
2 have been directed or approved by the appropriate department
3 official shall enjoy the protection of the sovereign immunity of the
4 state to the same extent as a paid employee. Such persons may be
5 reimbursed for expenses incurred during authorized official travel
6 under these same statutory provisions, or the actual cost of
7 gasoline expended in furtherance of authorized state business
8 provided it is indicated on the claim the person is not a state
9 employee, a description of services performed is entered, and the
10 agency head by approval of the claim certifies such services were
11 substantial and necessary, and germane to the duties and functions
12 of the reimbursing agency. Travel expenses incurred by a person
13 during the course of seeking employment with a state agency, unless
14 such travel is performed at the request of the employing agency,
15 shall not be considered expenses incurred in performing substantial
16 and necessary services to the state and shall not be reimbursed
17 under the provisions of the State Travel Reimbursement Act.

18 B. The chief administrative officer of the Department of Public
19 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
20 State Bureau of Narcotics and Dangerous Drugs Control, the Military
21 Department of the State of Oklahoma, the Department of Corrections,
22 the Department of Central Services, the Alcoholic Beverage Laws
23 Enforcement Commission, the Oklahoma Department of Agriculture,
24 Food, and Forestry, the Oklahoma Department of Emergency Management,

1 and the State Fire Marshal may arrange for and charge meals and
2 lodging for a contingent of state personnel moved into an area for
3 the purpose of preserving the public health, safety, or welfare or
4 for the protection of life or property. The cost for meals or
5 lodging so charged shall not exceed the amount authorized in the
6 State Travel Reimbursement Act. The chief administrative officer of
7 each agency involved in such an operation shall require the vendor
8 furnishing meals, lodging, or both meals and lodging to submit an
9 itemized statement for payment. When a claim for lodging is made
10 for a contingent of state personnel, individual members of the
11 contingent may not submit a claim for lodging. When a claim for
12 meals is made for a contingent of state personnel, individual
13 members of the contingent may not submit a claim for meals.

14 C. The Oklahoma Department of Commerce, the Oklahoma Center for
15 the Advancement of Science and Technology, and the Oklahoma
16 Department of Agriculture, Food, and Forestry are hereby authorized
17 to enter into contracts and agreements for the payment of food,
18 lodging, meeting facility and beverage expenses as may be necessary
19 for sponsoring seminars and receptions relating to economic
20 development and science and technology issues. Such expenses may be
21 paid directly to the contracting agency or business establishment.
22 The Director of the Oklahoma Department of Commerce, the ~~President~~
23 Executive Director of the Oklahoma Center for the Advancement of
24 Science and Technology, and the Commissioner of Agriculture shall

1 each provide a quarterly report of such expenditures to the
2 Governor, the Speaker of the House of Representatives and the
3 President Pro Tempore of the Senate.

4 D. The Native American Cultural and Educational Authority is
5 hereby authorized to enter into contracts and agreements for the
6 payment of food, lodging, and meeting facility as may be necessary
7 to pursue the promotion of fund-raising, marketing, and development
8 of Native American educational programs and cultural projects, or to
9 sponsor luncheons, seminars, and receptions relating to Native
10 American educational, cultural, museum, and economic development
11 issues. Such expenses may be paid directly to the contracting
12 agency or business establishment. The Executive Director shall
13 provide a monthly report of expenditures to the Board.

14 E. For purposes of this section:

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

18 2. State agencies are authorized to enter into contracts and
19 agreements for the payment of food and lodging expenses as may be
20 necessary for employees or other persons who are performing
21 substantial and necessary services to the state by attending
22 official conferences, meetings, seminars, workshops, or training
23 sessions or in the performance of their duties. Such expenses may
24 be paid directly to the contracting agency or business

1 establishment, provided the meeting qualifies for overnight travel
2 for the employees and the cost for food and lodging for each
3 employee shall not exceed the total daily rate as provided in the
4 State Travel Reimbursement Act;

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

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

20 F. State agencies are authorized to make direct purchases of
21 commercial airline tickets for use by employees in approved out-of-
22 state travel. Each claim or invoice submitted to the Director of
23 State Finance for the payment of the purchase shall bear the airline
24 identifying ticket number, the name of the airline, total cost of

1 each ticket purchased, class of accommodation, social security
2 number, and name of the employee for whom the ticket was purchased,
3 and shall be filed on claim forms as prescribed by the Director of
4 State Finance. The employee shall sign an affidavit stating that
5 the employee did use any direct purchase commercial airline ticket
6 received for his or her approved out-of-state travel.

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

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

21 H. 1. The Commissioner of the Department of Mental Health and
22 Substance Abuse Services is hereby authorized to enter into
23 contracts and agreements for the payment of food, lodging, and other
24 authorized expenses as may be necessary to host, conduct, sponsor,

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

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

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

19 J. The Oklahoma Tourism and Recreation Department is hereby
20 authorized to enter into contracts and agreements for the payment of
21 food, lodging, and meeting facility and beverage expenses as may be
22 necessary for seminars and receptions relating to familiarization
23 tours and tourism development. The expenses may be paid directly to
24 the contracting agency or business establishment. The Executive

1 Director of the Oklahoma Tourism and Recreation Department shall
2 provide a monthly report of any such expenditures to the Oklahoma
3 Tourism and Recreation Commission.

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

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

24

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

5 M. 1. The Director of the Oklahoma State Bureau of
6 Investigation is hereby authorized to enter into contracts and
7 agreements for the payment of food, lodging and other authorized
8 expenses as may be necessary to host, conduct, sponsor or
9 participate in any conference, meeting, training session or
10 initiative to promote the mission and purposes of the Bureau. The
11 payments may be for all persons in attendance, including, but not
12 limited to, employees of political subdivisions or employees of the
13 state or federal government.

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

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

24

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

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

15 P. 1. The State Regents for Higher Education is hereby
16 authorized to enter into contracts and agreements for the payment of
17 food, lodging, and other authorized expenses as may be necessary to
18 host, conduct, sponsor, or participate in conferences, meetings, or
19 training sessions. The State Regents for Higher Education may
20 establish accounts as necessary for the collection and distribution
21 of funds, including funds of sponsors and registration fees, related
22 to such conferences, meetings, and training sessions. Any expenses
23 incurred may be paid directly to the contracting agency or business
24 establishment.

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

5 SECTION 2. This act shall become effective July 1, 2009.

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

10

11 52-1-7427 LRB 03/24/09

12

13

14

15

16

17

18

19

20

21

22

23

24