

1 ENGROSSED HOUSE
2 BILL NO. 2176

By: Nelson and Hickman of the
House

3 and

4 Aldridge of the Senate
5
6

7 An Act relating to public finance; amending 62 O.S.
8 2001, Section 45.1, as amended by Section 4, Chapter
9 301, O.S.L. 2003 (62 O.S. Supp. 2008, Section 45.1),
10 which relates to the Oklahoma Program Performance
11 Budgeting and Accountability Act; modifying filing
12 requirement; providing penalty for certain agencies;
13 providing an effective date; and declaring an
14 emergency.

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

16 SECTION 1. AMENDATORY 62 O.S. 2001, Section 45.1, as
17 amended by Section 4, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2008,
18 Section 45.1), is amended to read as follows:

19 Section 45.1 Sections 45.1 through 45.10 of this title shall be
20 known and may be cited as the "Oklahoma Program Performance
21 Budgeting and Accountability Act". All state agencies are to
22 prepare and submit their budgetary systems in a program format. In
23 addition, all state agencies are to collect and identify data to
24 measure performance of their programs. If any nonappropriated state
agency fails to file a report under the Oklahoma Program Performance
Budgeting and Accountability Act, the agency shall be subject to a

1 penalty of one percent (1%) for the first violation, two percent
2 (2%) for the second violation, and five percent (5%) for any other
3 violations, of the agency's fee revenue which shall be apportioned
4 to the General Revenue Fund of the State Treasury, or the cost of an
5 auditor from the Office of the State Auditor and Inspector to
6 prepare and file a report on behalf of the agency, whichever is
7 greater. The cost of an audit shall be paid to the State Auditor
8 and Inspector. If the State Auditor and Inspector does not complete
9 the audit within ninety (90) days, the Legislative Service Bureau
10 shall perform the audit and the cost of the audit shall be paid to
11 the Legislative Service Bureau. The agency shall submit its
12 computations to the Office of State Finance, and the Office of State
13 Finance shall take such steps to cause the revenue of the affected
14 agency to be reduced accordingly. The Office of State Finance shall
15 prepare a list of nonappropriated state agencies that violate this
16 section to be published annually on the website of the Office of
17 State Finance.

18 Implementation of this act shall be designed to better
19 prioritize state funding needs, reduce program duplication, enhance
20 budgeting information necessary to improve the efficiency of state
21 operations and improve state services to the public.

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

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

