

1 ENGROSSED HOUSE
2 BILL NO. 2455

By: Miller and Martin (Scott)
of the House

3 and

4 Johnson (Mike) and Myers of
5 the Senate

6
7 (Department of Human Services - appropriation -

8 effective date -

9 emergency)

10

11

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

13 SECTION 1. There is hereby appropriated to the Department of
14 Human Services from any monies not otherwise appropriated from the
15 General Revenue Fund of the State Treasury for the fiscal year
16 ending June 30, 2011, the sum of _____ Dollars (\$0.00) or
17 so much thereof as may be necessary to perform the duties imposed
18 upon the Department of Human Services by law.

19 SECTION 2. For the fiscal year ending June 30, 2011, the
20 Department of Human Services shall budget all appropriated funds in
21 the following categories and amounts:

22	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
23	Children and Family		
24	Services	\$0.00	\$ 0.00

1	Division of Child Care	0.00	0.00
2	Developmental Disabilities		
3	Services	0.00	0.00
4	Temporary Assistance to		
5	Needy Families (TANF)		
6	Cash Assistance	0.00	0.00
7	Temporary Assistance to		
8	Needy Families (TANF)		
9	Work Activities	0.00	0.00
10	Aid to Aged, Blind and		
11	Disabled (ABD) State		
12	Supplemental Payments	0.00	0.00
13	Child Care Subsidy		
14	Payments	0.00	0.00
15	Family Support Services	0.00	0.00
16	Field Operations	0.00	0.00
17	Child Support Enforcement	0.00	0.00
18	Aging Services	0.00	0.00
19	Office of Faith-Based		
20	Initiatives	0.00	0.00
21	Administration and Data		
22	Services	0.00	0.00
23	Food Stamps	<u>0.00</u>	<u>0.00</u>
24	TOTAL	\$0.00	\$0.00

1 The agency shall develop outcome-based performance measures for
2 each budget category.

3 Receipt and expenditure of unanticipated federal funds awarded
4 the Department of Human Services after July 1, 2011, shall be exempt
5 from expenditure limitations, provided that any such funds used for
6 operations shall be included in the agency's budget work program.

7 SECTION 3. The duties and compensation of employees, not
8 otherwise prescribed by law, necessary to perform the duties imposed
9 upon the Department of Human Services by law shall be set by the
10 Director of Human Services. The Department of Human Services for
11 the fiscal year ending June 30, 2011, shall be subject to the
12 following budgetary limitations on full-time-equivalent employees
13 and expenditures excluding expenditures for capital and special
14 projects, except as may be authorized pursuant to the provisions of
15 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
16 Full-time-equivalent Employees	0.0
17 Lease-Purchase Agreements	\$0.00

18
19 SECTION 4. There is hereby appropriated to the Department of
20 Human Services all federal monies received by the state during the
21 fiscal year ending June 30, 2011, from the Temporary Assistance to
22 Needy Families Block Grant and the Child Care and Development Fund
23 Block Grant to meet the provisions of federal law relating to such
24 grants.

1 SECTION 5. A. The Commission for Human Services, except in
2 cases of emergency or when required by state or federal law, shall
3 not finalize provider rates for fiscal year 2011 until the end of
4 the 1st Session of the 53rd Oklahoma Legislature.

5 B. In addition, the Commission shall not change rates for
6 fiscal year 2010 after January 1, 2011, except in cases of emergency
7 or when required by state or federal law.

8 C. If, in the opinion of the Commission, an emergency situation
9 or legal mandate exists, the Commission may make appropriate
10 provider rate changes.

11 D. The Commission shall make the rate changes effective on the
12 effective date of any such legal requirement.

13 E. 1. Prior to final approval of rate changes due to an
14 emergency or legal mandate, the Director of the Department of Human
15 Services shall provide written notification of the intended actions
16 and reasons for such actions to the Governor, the Speaker of the
17 House of Representatives, and the President Pro Tempore of the
18 Senate.

19 2. Following final approval of the changes by the Commission,
20 the Director shall further provide the Governor, the Speaker of the
21 House of Representatives, and the President Pro Tempore of the
22 Senate with a written explanation of the methodology and assumptions
23 made in arriving at the emergency rate change.

1 F. The provisions of this section shall be subject to the
2 provisions of The Oklahoma Central Purchasing Act.

3 SECTION 6. The Director of the Department of Human Services may
4 request through the Director of State Finance the early transfer by
5 the Oklahoma Tax Commission of tax collection to the General Revenue
6 Fund for the purpose of early allocation to the Department's
7 disbursing funds to alleviate cash-flow problems.

8 SECTION 7. A. The Director of State Finance shall transfer
9 monies appropriated from the General Revenue Fund and Tobacco
10 Settlement Fund to the Department of Human Services' disbursing
11 funds in the amounts and ratios requested by the agency except that
12 the cumulative amounts transferred shall not exceed the cumulative
13 amounts of equal monthly allotments of the appropriations from the
14 General Revenue Fund and Tobacco Settlement Fund.

15 B. Monies appropriated or collected from the fiscal year
16 ending June 30, 2011, may be transferred to these disbursing funds
17 for the fiscal year ending June 30, 2010, to satisfy encumbrances
18 and obligations of said fiscal year; provided, that monies equal in
19 amount are transferred from appropriations or collections for the
20 fiscal year ending June 30, 2010, to the disbursing funds for the
21 fiscal year ending June 30, 2011, to satisfy encumbrances and
22 obligations of said fiscal year. All transfer requests shall be in
23 writing to the Director of State Finance.

1 C. The Department of Human Services shall maintain records of
2 the interyear transfers.

3 SECTION 8. Appropriations made by this act, not including
4 appropriations made for capital outlay purposes, may be budgeted for
5 the fiscal year ending June 30, 2011 (hereafter FY-11) or may be
6 budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12).
7 Funds budgeted for FY-11 may be encumbered only through June 30,
8 2011, and must be expended by November 15, 2011. Any funds
9 remaining after November 15, 2011, and not budgeted for FY-12, shall
10 lapse to the credit of the proper fund for the then current fiscal
11 year. Funds budgeted for FY-12 may be encumbered only through June
12 30, 2012. Any funds remaining after November 15, 2012, shall lapse
13 to the credit of the proper fund for the then current fiscal year.
14 These appropriations may not be budgeted in both fiscal years
15 simultaneously. Funds budgeted in FY-11, and not required to pay
16 obligations for that fiscal year, may be budgeted for FY-12, after
17 the agency to which the funds have been appropriated has prepared
18 and submitted a budget work program revision removing these funds
19 from the FY-11 budget work program and after such revision has been
20 approved by the Office of State Finance.

21 SECTION 9. This act shall become effective July 1, 2010.

22 SECTION 10. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
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