

1 ENGROSSED HOUSE
2 BILL NO. 3054

By: Bengé and Sherrer of the
House

3 and

4 Lamb of the Senate

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7
8 (cities and towns - Municipal Fiscal Impact Act -
9 contracts - codification -

10 effective date)

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

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

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

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

23 A. When a bill that would have a direct adverse fiscal impact
24 on municipalities is introduced, it shall be assigned to the

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

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

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

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

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

13 A. Any bill specifically affecting Oklahoma municipalities
14 which would have a direct adverse fiscal impact on Oklahoma
15 municipalities in excess of One Hundred Thousand Dollars
16 (\$100,000.00) without a dedicated federal, state, or local revenue
17 source to fully fund the proposed mandate may be introduced
18 according to the applicable deadlines established by the House of
19 Representatives or Senate in any odd-numbered year during the
20 regular session. Any such bill may be passed by the Legislature
21 only during an even-numbered year of the regular session. Any such
22 bill may be introduced in an even-numbered year, but shall not be
23 considered by the Legislature during that year.

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

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

12 Passed the House of Representatives the 4th day of March, 2010.

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Presiding Officer of the House of
Representatives

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Passed the Senate the ____ day of _____, 2010.

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Presiding Officer of the Senate

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