

ENROLLED HOUSE
BILL NO. 2653

By: Sullivan and Tibbs of the
House

and

Crain of the Senate

An Act relating to municipal finance; creating the Task Force on Municipal Finance; providing for membership; requiring organizational meeting; providing for selection of chair and cochair; prescribing quorum requirement; providing for inapplicability of Oklahoma Open Meeting Act; prescribing requirement for meeting notices; providing for travel reimbursement; specifying reimbursement method for legislator members; providing for staff assistance; prescribing scope of inquiry by Task Force; requiring final report; specifying date of report; providing for termination of Task Force; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 350 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Task Force on Municipal Finance.

B. The Task Force shall be composed of nine (9) persons to be selected as follows:

1. The Governor shall appoint two persons representing municipalities as follows:

- a. one person representing a municipality with a population of less than fifty thousand (50,000) persons, and
- b. one person representing a municipality with a population in excess of fifty thousand (50,000) persons but not in excess of one hundred thousand (100,000) persons;

2. The Speaker of the Oklahoma House of Representatives shall appoint:

- a. one person representing a municipality with a population in excess of one hundred thousand (100,000) but not in excess of four hundred thousand (400,000) persons according to the latest Federal Decennial Census, and
- b. a member of the Oklahoma House of Representatives;

3. The President Pro Tempore of the Oklahoma State Senate shall appoint:

- a. one person representing a municipality with a population in excess of four hundred thousand (400,000) persons according to the latest Federal Decennial Census, and
- b. a member of the Oklahoma State Senate;

4. One member to be appointed by a statewide nonprofit organization the membership of which consists primarily of municipalities organized under the laws of the State of Oklahoma and which organization supports the functions of such municipalities;

5. One member who shall be the Director of the Office of State Finance or a designee; and

6. One member to be appointed by the Oklahoma Tax Commission.

C. Members of the Task Force shall serve at the pleasure of the appointing authority. Vacancies shall be filled in the same manner as the original appointment.

D. The Task Force shall hold an organizational meeting not later than September 30, 2010.

E. The Task Force shall select from among its membership a chair and cochair.

F. A quorum of the members present at a meeting of the Task Force shall be sufficient to conduct any business or to take any action authorized or required.

G. The Task Force shall be exempt from the Oklahoma Open Meeting Act, but shall provide a reasonable notice of its meetings at least seven (7) days prior to a meeting. The notice shall be posted electronically on the website of the Oklahoma House of Representatives or the Oklahoma State Senate or both. Notices may be posted at such location or locations within the Oklahoma State Capitol as the Task Force may direct.

H. Travel reimbursement for members of the Task Force who are legislators shall be made pursuant to Section 456 of Title 74 of the Oklahoma Statutes. Travel reimbursement for other members of the Task Force shall be made by the respective appointing authorities pursuant to the State Travel Reimbursement Act.

I. Staff assistance for the Task Force shall be provided by the staff of the Oklahoma House of Representatives and the Oklahoma State Senate.

J. The Task Force shall be exempt from the Oklahoma Open Records Act.

K. The Task Force shall examine the laws governing municipal finance for all forms of municipal government and shall give specific attention to:

1. The existing sources of revenues available to municipal government;

2. The requirements for establishing and maintaining sinking funds;

3. The laws governing the creation and maintenance of separate accounts within municipal general funds;

4. The laws governing the investment or other use of municipal revenues;

5. The laws governing the establishment of municipal reserve funds similar to the Constitutional Reserve Fund created pursuant to Section 23 of Article X of the Oklahoma Constitution for the State of Oklahoma; and

6. Such other matters related to municipal finance as the Task Force may deem to be relevant.

L. The Task Force shall make a final report containing any recommendations for changes in the law governing municipal finance to the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Oklahoma State Senate not later than January 31, 2011.

M. The Task Force shall terminate by operation of law on February 1, 2011.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 9th day of March, 2010.

Presiding Officer of the House of
Representatives

Passed the Senate the 5th day of April, 2010.

Presiding Officer of the Senate