

THE HOUSE OF REPRESENTATIVES  
Wednesday, February 17, 2010

Committee Substitute for  
House Bill No. 3054

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3054 - By: BENGGE of the House and LAMB of the Senate.

An Act relating to cities and towns; creating the Municipal Fiscal Impact Act; providing for bills with a certain fiscal impact to be assigned to a certain committee; providing for committee procedure; authorizing the Legislative Service Bureau to enter into certain contracts; providing for fiscal impact statement; requiring bills with a certain fiscal impact be introduced at certain time; providing exception; providing for codification; and providing an effective date.

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

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

4 This act shall be known and may be cited as the “Municipal Fiscal Impact Act”.

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

8 A. When a bill that would have a direct adverse fiscal impact on municipalities is  
9 introduced, it shall be assigned to the respective Senate or House of Representatives  
10 standing committee or subcommittee that is primarily responsible for the consideration

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

12 B. The committee to which a bill having a direct adverse fiscal impact on  
13 municipalities is assigned following its introduction may amend the bill to become a  
14 nonfiscal bill. Only the committee to which a bill having a direct adverse fiscal impact on  
15 municipalities is originally assigned following its introduction may convert the bill to a  
16 nonfiscal bill as authorized in this subsection.

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

20 D. The fiscal impact statement required by this section shall address the specific  
21 language of the proposed mandate. A fiscal impact statement on a similar bill or

1 proposal in a different jurisdiction is insufficient and does not meet the requirements of  
2 the Municipal Fiscal Impact Act.

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

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

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

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

1 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02-  
2 16-10 - DO PASS, As Amended and Coauthored.