

THE HOUSE OF REPRESENTATIVES
Thursday, March 26, 2009

Committee Substitute for
ENGROSSED
Senate Bill No. 829

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 829 - By: CORN of the Senate and BRANNON of the House.

An Act relating to state government; amending 74 O.S. 2001, Section 500.2, as last amended by Section 1, Chapter 321, O.S.L. 2008 (74 O.S. Supp. 2008, Section 500.2), which relates to the State Travel Reimbursement Act; modifying authorized reimbursement for certain persons; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 74 O.S. 2001, Section 500.2, as last amended by
2 Section 1, Chapter 321, O.S.L. 2008 (74 O.S. Supp. 2008, Section 500.2), is amended to
3 read as follows:
4 Section 500.2 A. Officials and employees of the state, traveling on authorized state
5 business, may be reimbursed for expenses incurred in such travel in accordance with the
6 provisions of the State Travel Reimbursement Act and existing statutes relating to state
7 travel. Persons who are not state employees, but who are performing substantial and
8 necessary services to the state which have been directed or approved by the appropriate
9 department official shall enjoy the protection of the sovereign immunity of the state to
10 the same extent as a paid employee. Such persons may be reimbursed for expenses

1 incurred during authorized official travel under these same statutory provisions, or the
2 actual cost of gasoline expended in furtherance of authorized state business provided it is
3 indicated on the claim the person is not a state employee, a description of services
4 performed is entered, and the agency head by approval of the claim certifies such services
5 were substantial and necessary, and germane to the duties and functions of the
6 reimbursing agency. Travel expenses incurred by a person during the course of seeking
7 employment with a state agency, unless such travel is performed at the request of the
8 employing agency, shall not be considered expenses incurred in performing substantial
9 and necessary services to the state and shall not be reimbursed under the provisions of
10 the State Travel Reimbursement Act.

11 B. The chief administrative officer of the Department of Public Safety, the
12 Oklahoma State Bureau of Investigation, the Oklahoma State Bureau of Narcotics and
13 Dangerous Drugs Control, the Military Department of the State of Oklahoma, the
14 Department of Corrections, the Department of Central Services, the Alcoholic Beverage
15 Laws Enforcement Commission, the Oklahoma Department of Agriculture, Food, and
16 Forestry, the Oklahoma Department of Emergency Management, and the State Fire
17 Marshal may arrange for and charge meals and lodging for a contingent of state
18 personnel moved into an area for the purpose of preserving the public health, safety, or
19 welfare or for the protection of life or property. The cost for meals or lodging so charged
20 shall not exceed the amount authorized in the State Travel Reimbursement Act. The
21 chief administrative officer of each agency involved in such an operation shall require the
22 vendor furnishing meals, lodging, or both meals and lodging to submit an itemized

1 statement for payment. When a claim for lodging is made for a contingent of state
2 personnel, individual members of the contingent may not submit a claim for lodging.
3 When a claim for meals is made for a contingent of state personnel, individual members
4 of the contingent may not submit a claim for meals.

5 C. The Oklahoma Department of Commerce, the Oklahoma Center for the
6 Advancement of Science and Technology, and the Oklahoma Department of Agriculture,
7 Food, and Forestry are hereby authorized to enter into contracts and agreements for the
8 payment of food, lodging, meeting facility and beverage expenses as may be necessary for
9 sponsoring seminars and receptions relating to economic development and science and
10 technology issues. Such expenses may be paid directly to the contracting agency or
11 business establishment. The Director of the Oklahoma Department of Commerce, the
12 ~~President~~ Executive Director of the Oklahoma Center for the Advancement of Science
13 and Technology, and the Commissioner of Agriculture shall each provide a quarterly
14 report of such expenditures to the Governor, the Speaker of the House of Representatives
15 and the President Pro Tempore of the Senate.

16 D. The Native American Cultural and Educational Authority is hereby authorized
17 to enter into contracts and agreements for the payment of food, lodging, and meeting
18 facility as may be necessary to pursue the promotion of fund-raising, marketing, and
19 development of Native American educational programs and cultural projects, or to
20 sponsor luncheons, seminars, and receptions relating to Native American educational,
21 cultural, museum, and economic development issues. Such expenses may be paid

1 directly to the contracting agency or business establishment. The Executive Director
2 shall provide a monthly report of expenditures to the Board.

3 E. For purposes of this section:

4 1. "State agency" means any constitutionally or statutorily created state board,
5 commission, or department, including the Legislature and the Courts;

6 2. State agencies are authorized to enter into contracts and agreements for the
7 payment of food and lodging expenses as may be necessary for employees or other
8 persons who are performing substantial and necessary services to the state by attending
9 official conferences, meetings, seminars, workshops, or training sessions or in the
10 performance of their duties. Such expenses may be paid directly to the contracting
11 agency or business establishment, provided the meeting qualifies for overnight travel for
12 the employees and the cost for food and lodging for each employee shall not exceed the
13 total daily rate as provided in the State Travel Reimbursement Act;

14 3. State agencies are authorized to enter into contracts and agreements for the
15 payment of conference registration expenses as may be necessary for employees or other
16 persons who are performing substantial and necessary services to the state by attending
17 official conferences, meetings, seminars, workshops, or training sessions. Such expenses
18 may be paid directly to the contracting agency or business establishment; and

19 4. State agencies are authorized to enter into contracts and agreements for the
20 payment of food and lodging expenses as may be necessary for employees attending an
21 official course of instruction or training conducted or sponsored by any state agency.

22 Expenses may be paid directly to the contracting agency or business establishment. The

1 cost for food and lodging for each employee shall not exceed the total daily rate as
2 provided in the State Travel Reimbursement Act.

3 F. State agencies are authorized to make direct purchases of commercial airline
4 tickets for use by employees in approved out-of-state travel. Each claim or invoice
5 submitted to the Director of State Finance for the payment of the purchase shall bear the
6 airline identifying ticket number, the name of the airline, total cost of each ticket
7 purchased, class of accommodation, social security number, and name of the employee for
8 whom the ticket was purchased, and shall be filed on claim forms as prescribed by the
9 Director of State Finance. The employee shall sign an affidavit stating that the employee
10 did use any direct purchase commercial airline ticket received for his or her approved
11 out-of-state travel.

12 G. 1. The Administrator of the Office of Personnel Management is hereby
13 authorized to enter into contracts and agreements for the payment of food, lodging, and
14 other authorized expenses as may be necessary to host, conduct, sponsor, or participate
15 in conferences, meetings, or training sessions. The Administrator may establish
16 accounts as necessary for the collection and distribution of funds, including funds of
17 sponsors and registration fees, related to such conferences, meetings, and training
18 sessions. Expenses incurred may be paid directly to the contracting agency or business
19 establishment.

20 2. The cost of food for persons attending any conferences, meetings, and training
21 sessions that do not require overnight travel shall not exceed the total daily rate as
22 provided in the State Travel Reimbursement Act.

1 H. 1. The Commissioner of the Department of Mental Health and Substance Abuse
2 Services is hereby authorized to enter into contracts and agreements for the payment of
3 food, lodging, and other authorized expenses as may be necessary to host, conduct,
4 sponsor, or participate in conferences, meetings, or training sessions. The Commissioner
5 may establish accounts as necessary for the collection and distribution of funds,
6 including funds of sponsors and registration fees, related to such conferences, meetings,
7 and training sessions. Any expenses incurred may be paid directly to the contracting
8 agency or business establishment.

9 2. The cost of food for persons attending any conferences, meetings, and training
10 sessions that do not require overnight travel shall not exceed the total daily rate as
11 provided in the State Travel Reimbursement Act.

12 I. The Oklahoma Indigent Defense System is hereby authorized to enter into
13 contracts and agreements for the payment of lodging as necessary for employees to carry
14 out their duties in representing any client whom the System has been properly appointed
15 to represent. Such expenses may be paid directly to the contracting agency or business
16 establishment. The cost for lodging for each employee shall not exceed the daily rate as
17 provided in the State Travel Reimbursement Act.

18 J. The Oklahoma Tourism and Recreation Department is hereby authorized to
19 enter into contracts and agreements for the payment of food, lodging, and meeting
20 facility and beverage expenses as may be necessary for seminars and receptions relating
21 to familiarization tours and tourism development. The expenses may be paid directly to
22 the contracting agency or business establishment. The Executive Director of the

1 Oklahoma Tourism and Recreation Department shall provide a monthly report of any
2 such expenditures to the Oklahoma Tourism and Recreation Commission.

3 K. The Oklahoma Tourism and Recreation Department is hereby authorized to
4 enter into contracts and agreements for the payment of exhibitor fees and display space
5 charges at expositions to promote the Department's recreational facilities and the
6 tourism and recreation industry. The expenses may be paid directly to the contracting
7 agency or business establishment; provided that no payment shall be made prior to the
8 event unless it conveys a property right to the state for future availability and use.

9 L. 1. The Oklahoma Highway Safety Office of the Department of Public Safety is
10 hereby authorized to enter into contracts and agreements for the payment of food,
11 lodging, and other authorized expenses as may be necessary, to host, conduct, sponsor, or
12 participate in highway-safety-related conferences, workshops, seminars, meetings, or
13 training sessions. The payments shall be for all persons in attendance, including, but not
14 limited to, employees of political subdivisions or employees of the state or federal
15 government. For purposes specified in this paragraph, only federal highway safety funds
16 may be used in accordance with federal guidelines and regulations, and no appropriated
17 state funds shall be used.

18 2. The cost of food for persons attending any highway safety conferences,
19 workshops, seminars, meetings, and training sessions that do not require overnight
20 travel shall not exceed the total daily rate as provided in the State Travel
21 Reimbursement Act.

1 M. 1. The Director of the Oklahoma State Bureau of Investigation is hereby
2 authorized to enter into contracts and agreements for the payment of food, lodging and
3 other authorized expenses as may be necessary to host, conduct, sponsor or participate in
4 any conference, meeting, training session or initiative to promote the mission and
5 purposes of the Bureau. The payments may be for all persons in attendance, including,
6 but not limited to, employees of political subdivisions or employees of the state or federal
7 government.

8 2. The cost of food for persons that do not require overnight travel shall not exceed
9 the total daily rate as provided in the State Travel Reimbursement Act.

10 N. The Oklahoma Homeland Security Director is hereby authorized to enter into
11 contracts and agreements for the payment of food, lodging and other authorized expenses
12 as may be necessary to host, conduct, sponsor, or participate in homeland security
13 related conferences, meetings, workshops, seminars, exercises or training sessions. The
14 expenses may be paid directly to the contracting agency or business establishment.

15 O. 1. The Insurance Commissioner of the Insurance Department of the State of
16 Oklahoma is hereby authorized to enter into contracts and agreements for the payment
17 of food, lodging, and other authorized expenses as may be necessary to host, conduct,
18 sponsor, or participate in conferences, meetings, or training sessions. The Commissioner
19 may establish accounts as necessary for the collection and distribution of funds,
20 including funds of sponsors and registration fees, related to such conferences, meetings,
21 and training sessions. Any expenses incurred may be paid directly to the contracting
22 agency or business establishment.

1 2. The cost of food for persons attending any conferences, meetings, and training
2 sessions that do not require overnight travel shall not exceed the total daily rate as
3 provided in the State Travel Reimbursement Act.

4 P. 1. The State Regents for Higher Education is hereby authorized to enter into
5 contracts and agreements for the payment of food, lodging, and other authorized
6 expenses as may be necessary to host, conduct, sponsor, or participate in conferences,
7 meetings, or training sessions. The State Regents for Higher Education may establish
8 accounts as necessary for the collection and distribution of funds, including funds of
9 sponsors and registration fees, related to such conferences, meetings, and training
10 sessions. Any expenses incurred may be paid directly to the contracting agency or
11 business establishment.

12 2. The cost of food for persons attending any conferences, meetings, and training
13 sessions that do not require overnight travel shall not exceed the total daily rate as
14 provided in the State Travel Reimbursement Act.

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

16 SECTION 3. It being immediately necessary for the preservation of the public
17 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
18 this act shall take effect and be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 03-
20 25-09 - DO PASS, As Amended.