

EHB 2176

THE STATE SENATE
Monday, April 6, 2009

ENGROSSED

House Bill No. 2176

As Amended

ENGROSSED HOUSE BILL NO. 2176 - By: Nelson and Hickman of the House and Aldridge of the Senate.

[public finance - Oklahoma Program Performance Budgeting and Accountability Act - providing penalty - effective date -

emergency]

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

SECTION 1. AMENDATORY 62 O.S. 2001, Section 45.1, as amended by Section 4, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2008, Section 45.1), is amended to read as follows:

Section 45.1 Sections 45.1 through 45.10 of this title shall be known and may be cited as the "Oklahoma Program Performance Budgeting and Accountability Act". All state agencies are to prepare and submit their budgetary systems in a program format. In addition, all state agencies are to collect and identify data to measure performance of their programs. If any nonappropriated state agency fails to file a report under the Oklahoma Program Performance Budgeting and Accountability Act, the agency shall be subject to a penalty of one percent (1%) for the first violation, two percent (2%) for the second violation, and five percent (5%) for any other

1 violations, of the agency's fee revenue which shall be apportioned
2 to the General Revenue Fund of the State Treasury, or the cost of an
3 auditor from the Office of the State Auditor and Inspector to
4 prepare and file a report on behalf of the agency, whichever is
5 greater. The cost of an audit shall be paid to the State Auditor
6 and Inspector. If the State Auditor and Inspector does not complete
7 the audit within ninety (90) days, the Legislative Service Bureau
8 shall perform the audit and the cost of the audit shall be paid to
9 the Legislative Service Bureau. The agency shall submit its
10 computations to the Office of State Finance, and the Office of State
11 Finance shall take such steps to cause the revenue of the affected
12 agency to be reduced accordingly. The Office of State Finance shall
13 prepare a list of nonappropriated state agencies that violate this
14 section to be published annually on the website of the Office of
15 State Finance.

16 Implementation of this act shall be designed to better
17 prioritize state funding needs, reduce program duplication, enhance
18 budgeting information necessary to improve the efficiency of state
19 operations and improve state services to the public.

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

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-1-09 - DO
4 PASS, As Amended.