

EHB 3054

THE STATE SENATE
Wednesday, March 31, 2010

ENGROSSED

House Bill No. 3054

As Amended

ENGROSSED HOUSE BILL NO. 3054 - By: Bengé and Sherrer of the House
and Lamb, Adelson and Ivester of the Senate.

(cities and towns - Municipal Fiscal Impact Act - contracts
- codification -
effective date)

~~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 17-301 of Title 11, unless there
is created a duplication in numbering, reads as follows:

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

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

A. When a bill that would have a direct adverse fiscal impact
on municipalities is introduced, it shall be assigned to the
respective Senate or House of Representatives standing committee or
subcommittee that is primarily responsible for the consideration of
legislation pertaining to municipalities. If a majority of the
total membership of the committee is opposed to the bill on its

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

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

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

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

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

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

20 B. Notwithstanding the provisions of subsection A of this
21 section, any bill which would have a direct adverse fiscal impact on
22 Oklahoma municipalities in excess of One Hundred Thousand Dollars
23 (\$100,000.00) as provided for in subsection A of this section may be

1 introduced, considered and enacted in any year of the regular
2 session of the Legislature if the bill is introduced solely for the
3 purpose of an unforeseen emergency situation that needs to be
4 addressed immediately. The bill shall only be considered if two-
5 thirds (2/3) of the membership of the originating house vote to
6 allow the bill to be considered.

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

8 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 3-30-10 - DO PASS,
9 As Amended and Coauthored.