

SB 829

THE STATE SENATE
Monday, February 23, 2009

Senate Bill No. 829
As Amended

SENATE BILL NO. 829 - By: Corn of the Senate and Brannon of the House.

[state government - State Travel Reimbursement Act -
effective date -
emergency]

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

SECTION 1. AMENDATORY 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), is amended to read as follows:

Section 500.2 A. Officials and employees of the state, traveling on authorized state business, may be reimbursed for expenses incurred in such travel in accordance with the provisions of the State Travel Reimbursement Act and existing statutes relating to state travel. Persons who are not state employees, but who are performing substantial and necessary services to the state which have been directed or approved by the appropriate department official shall enjoy the protection of the sovereign immunity of the state to the same extent as a paid employee. Such persons, except those who are employed by a nonprofit corporation, may be reimbursed for expenses incurred during authorized official travel under these same statutory provisions, provided it is indicated on the claim the

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

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

1 each agency involved in such an operation shall require the vendor
2 furnishing meals, lodging, or both meals and lodging to submit an
3 itemized statement for payment. When a claim for lodging is made
4 for a contingent of state personnel, individual members of the
5 contingent may not submit a claim for lodging. When a claim for
6 meals is made for a contingent of state personnel, individual
7 members of the contingent may not submit a claim for meals.

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

22 D. The Native American Cultural and Educational Authority is
23 hereby authorized to enter into contracts and agreements for the

1 payment of food, lodging, and meeting facility as may be necessary
2 to pursue the promotion of fund-raising, marketing, and development
3 of Native American educational programs and cultural projects, or to
4 sponsor luncheons, seminars, and receptions relating to Native
5 American educational, cultural, museum, and economic development
6 issues. Such expenses may be paid directly to the contracting
7 agency or business establishment. The Executive Director shall
8 provide a monthly report of expenditures to the Board.

9 E. For purposes of this section:

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

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

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

8 4. State agencies are authorized to enter into contracts and
9 agreements for the payment of food and lodging expenses as may be
10 necessary for employees attending an official course of instruction
11 or training conducted or sponsored by any state agency. Expenses
12 may be paid directly to the contracting agency or business
13 establishment. The cost for food and lodging for each employee
14 shall not exceed the total daily rate as provided in the State
15 Travel Reimbursement Act.

16 F. State agencies are authorized to make direct purchases of
17 commercial airline tickets for use by employees in approved out-of-
18 state travel. Each claim or invoice submitted to the Director of
19 State Finance for the payment of the purchase shall bear the airline
20 identifying ticket number, the name of the airline, total cost of
21 each ticket purchased, class of accommodation, social security
22 number, and name of the employee for whom the ticket was purchased,
23 and shall be filed on claim forms as prescribed by the Director of

1 State Finance. The employee shall sign an affidavit stating that
2 the employee did use any direct purchase commercial airline ticket
3 received for his or her approved out-of-state travel.

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

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

18 H. 1. The Commissioner of the Department of Mental Health and
19 Substance Abuse Services is hereby authorized to enter into
20 contracts and agreements for the payment of food, lodging, and other
21 authorized expenses as may be necessary to host, conduct, sponsor,
22 or participate in conferences, meetings, or training sessions. The
23 Commissioner may establish accounts as necessary for the collection

1 and distribution of funds, including funds of sponsors and
2 registration fees, related to such conferences, meetings, and
3 training sessions. Any expenses incurred may be paid directly to
4 the contracting agency or business establishment.

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

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

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

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

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

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

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

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

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

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

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

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

15 P. 1. The State Regents for Higher Education is hereby
16 authorized to enter into contracts and agreements for the payment of
17 food, lodging, and other authorized expenses as may be necessary to
18 host, conduct, sponsor, or participate in conferences, meetings, or
19 training sessions. The State Regents for Higher Education may
20 establish accounts as necessary for the collection and distribution
21 of funds, including funds of sponsors and registration fees, related
22 to such conferences, meetings, and training sessions. Any expenses

1 incurred may be paid directly to the contracting agency or business
2 establishment.

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

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-18-09 - DO
13 PASS, As Amended and Coauthored.