

STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

HOUSE BILL 2015

By: Miller

AS INTRODUCED

An Act relating to public finance; enacting the Oklahoma State Finance Act; amending 62 O.S. 2001, Section 2, which relates to county tax accounts; clarifying language; making language gender neutral: amending 62 O.S. 2001, Section 7.2, as amended by Section 1, Chapter 105, O.S.L. 2002 (62 O.S. Supp. 2008, Section 7.2), which relates to the Special Agency Account Board; updating citations and references; amending 62 O.S. 2001, Section 7.3, which relates to state agency accounts; updating references; amending 62 O.S. 2001, Section 7.5, which relates to classification of funds; updating references; amending 62 O.S. 2001, Section 7.6, which relates to the Payroll Fund; updating references; clarifying language; amending 62 O.S. 2001, Section 7.10, as last amended by Section 1, Chapter 392, O.S.L. 2008 (62 O.S. Supp. 2008, Section 7.10), which relates to voluntary payroll deductions; clarifying language; updating citation; amending 62 O.S. 2001, Section 7.13, which relates to annual financial reports; updating references; amending 62 O.S. 2001, Section 9.1, which relates to allocation of state revenues; clarifying language; specifying scope of limitation on certain appropriations; amending 62 O.S. 2001, Section 9.10, which relates to appropriations to public entities; updating reference; amending 62 O.S. 2001, Sections 10.1 and 10.3, which relate to General Revenue Cash-flow Reserve Fund; updating references and citations; amending 62 O.S. 2001, Sections 41.2, 41.3, 41.4, 41.4a, 41.4b, 41.4c, 41.4d, 41.5, 41.5g, as amended by Section 2, Chapter 148, O.S.L. 2007, 41.6, 41.7b, 41.7c, 41.8, 41.9, 41.10, 41.11, 41.13, 41.13a, 41.14, 41.15, 41.16, 41.16a, 41.17, 41.18, 41.19, 41.21, as amended by Section 1, Chapter 150, O.S.L.

1 2002, 41.23, 41.26, 41.27, 41.29, as last amended by
2 Section 2, Chapter 311, O.S.L. 2008, 41.29e, as last
3 amended by Section 5, Chapter 355, O.S.L. 2007,
4 41.30, 41.31, 41.32, 41.33, as amended by Section 3,
5 Chapter 311, O.S.L. 2008, 41.34, as amended by
6 Section 4, Chapter 311, O.S.L. 2008, 41.39, 41.40,
7 41.41, 41.42 and 41.46 (62 O.S. Supp. 2008, Sections
8 41.5g, 41.21, 41.29, 41.29e, 41.33 and 41.34), which
9 relate to the Oklahoma Budget Law of 1947; updating
10 references and citations; making language gender
11 neutral; updating and clarifying language; deleting
12 division within the Office of State Finance; adding
13 and deleting definitions; deleting obsolete language;
14 modifying duties of the Division of Central
15 Accounting and Reporting within the Office of State
16 Finance; deleting requirement of a printed budget
17 presentation to the Legislature; modifying procedure
18 for payment of certain services and operations;
19 providing exemptions; authorizing the Director of the
20 Office of State Finance to specify form of agency
21 budgets; clarifying limitation on revenue
22 allocations; clarifying procedure for allotting
23 certain monies; modifying procedures concerning
24 budget transfers; clarifying certain budget
procedures involving the Oklahoma State Regents for
Higher Education; clarifying procedures for payrolls;
clarifying procedures for paying claims; modifying
surety bond requirement; amending 74 O.S. 2001,
Section 34, which relates to replacement warrants;
updating references; clarifying procedures for lost
or destroyed warrants; amending 74 O.S. 2001, Section
86.1, which relates to payment of vendor invoices;
updating reference; updating language; deleting
obsolete language; clarifying duties,
responsibilities, and procedures by deleting present
language and restating the language in new law;
repealing 62 O.S. 2001, Sections 41.1 and 41.37,
which relate to the Oklahoma Budget Law of 1947;
providing for codification; providing for
recodification; providing an effective date; and
declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34 of Title 62, unless there is
3 created a duplication in numbering, reads as follows:

4 Section 34 et seq. of Title 62 of the Oklahoma Statutes shall be
5 known and may be cited as the "Oklahoma State Finance Act".

6 SECTION 2. AMENDATORY 62 O.S. 2001, Section 2, is
7 amended to read as follows:

8 Section 2. A. The official tax accounts with the several
9 counties of the state shall be kept by the State Auditor and
10 Inspector, which said accounts shall exhibit the true amount of each
11 class and year's taxes charged to each of the several counties,
12 together with the amounts received from each county, and the balance
13 due therefrom; provided, that all taxes of each of the several
14 counties that shall be delinquent for four (4) or more years may be
15 consolidated by classes into one account.

16 B. As a means of accurately establishing the ad valorem tax
17 accounts herein provided for, it is hereby made the duty of the
18 State Board of Equalization to certify annually to the State Auditor
19 and Inspector, within five(5) days after the same shall have been
20 ascertained by such Board for the year, the state equalized value of
21 all property assessed ad valorem in each of the counties of the
22 state, the rate of levy for the year, together with the amount of ad
23 valorem taxes assessed against the property in each of the several
24 counties of the state for the year.

1 C. For the purpose of maintaining an accurate check and balance
2 on the accounts between the state and the several counties, it shall
3 be the duty of the county clerk of each county to make and file with
4 the State Auditor and Inspector on or before the third Monday
5 following the close of the semiannual periods ending June 30th, and
6 December 31st, of each year, a certified report and statement in
7 writing showing by years and by classes the amount of all taxes due
8 the state, or its fund or funds under its management at close of
9 such periods, together with the dates and amounts of all payments
10 into the State Treasury during such periods, which said statement
11 when so filed with the State Auditor and Inspector shall become a
12 permanent and official record ~~of his office.~~

13 D. It shall be the duty of the State Auditor and Inspector, and
14 ~~he~~ the State Auditor and Inspector is hereby given full power and
15 authority to reconcile and adjust all tax accounts with the several
16 counties and to require a proper accounting for all revenue laid and
17 levied, or required to be laid and levied, against all properties
18 and subjects selected for taxation by the state in the respective
19 counties, together with the amount thereof collected for or on
20 behalf of the state by any county or any officer thereof.

21 SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.7b, is
22 amended to read as follows:

23 Section 41.7b A. ~~In accordance with duties assigned to the~~
24 ~~State Board of Equalization in Section 23 of Article X of the~~

1 ~~Constitution of the State of Oklahoma, agencies~~ Agencies responsible
2 for the collection of monies deposited to the credit of the General
3 Revenue Fund and each of the Special Revenue Funds shall, ~~upon~~ be
4 subject to the provisions of this act. Upon request of the Director
5 of the Office of State Finance, these agencies shall provide the
6 Office of State Finance Director ~~in the manner and form established~~
7 ~~by the Director,~~ an itemized estimate of funds expected to accrue to
8 the General Revenue Fund and each of the Special Revenue Funds for
9 the ensuing fiscal year in the manner and form established by the
10 Director, in accordance with the duties assigned to the State Board
11 of Equalization in Section 23 of Article X of the Oklahoma
12 Constitution. Each of these agencies must also provide to the
13 Director ~~of State Finance,~~ as requested, a written explanation of
14 the methodology and relevant assumptions used in developing the
15 revenue estimates submitted ~~in compliance with this section,~~ a
16 statement of the prior year year's actual revenue collections and a
17 projection of the current year year's revenue collections. No
18 expenditure shall be made from any General Revenue Fund or Special
19 Revenue Fund until such fund has been assigned to an agency by law
20 or by the Director of the Office of State Finance.

21 B. In addition to providing the information listed above, the
22 Oklahoma Tax Commission shall also provide to the Director of the
23 Office of State Finance a comprehensive economic report no later
24 than two weeks prior to each of the meetings of the State Board of

1 Equalization pursuant to paragraphs 1 and 3 of Section 23 of Article
2 X of the Constitution of the State of Oklahoma. ~~The~~ Each report
3 shall include a summary of recent national and state economic
4 performance and a forecast of national and state economic
5 performance for both the current and the upcoming fiscal ~~year~~ years.
6 ~~This report~~ These reports shall be considered a basis upon which the
7 itemized revenue estimates of the Commission are developed. The
8 report shall include an analysis of the relative accuracy of the
9 economic ~~foreecast~~ forecasts on which the previous and current fiscal
10 years' revenue estimates were based.

11 C. The Tax Commission shall also provide all estimates,
12 explanations, statements, projections, reports and other documents
13 required by this section to the President Pro Tempore of the Senate
14 and the Speaker of the House of Representatives at the same time
15 that such documents are provided to the Director of the Office of
16 State Finance.

17 SECTION 4. AMENDATORY 62 O.S. 2001, Section 41.3, is
18 amended to read as follows:

19 Section 41.3 A. There is hereby created in the Executive
20 Department, the Office of State Finance which shall consist of a
21 Division of the Budget, a Division of Central Accounting and
22 Reporting, and an Information Services Division, ~~and an Oklahoma~~
23 ~~Financial Information System Management Division~~ all under the
24

1 administrative control of the Director of the Office of State
2 Finance and directly responsible to ~~him~~ the Director.

3 ~~The terms "State Budget Director" or "Budget Director" appearing~~
4 ~~in the Oklahoma Statutes shall mean "Director of State Finance".~~

5 ~~The terms "State Budget Office", "Division of the Budget",~~
6 ~~"Division of Central Accounting and Reporting", "Information~~
7 ~~Services Division", or "Oklahoma Financial Information System~~
8 ~~Management Division" appearing in the Oklahoma Statutes shall mean~~
9 ~~the Office of State Finance or the divisions thereof.~~

10 B. The terms "state agency" or "agency", when used in the
11 Oklahoma State Finance Act, shall mean any department, division,
12 bureau, board, commission, agency, institution or function of this
13 state.

14 C. The term "authorization", when used in the Oklahoma State
15 Finance Act, shall mean the legislative authorization for an agency
16 to expend a certain amount of money from a specified fund or funds
17 during a specified period of time.

18 SECTION 5. AMENDATORY 62 O.S. 2001, Section 41.40, is
19 amended to read as follows:

20 Section 41.40 There is hereby created in the State Treasury a
21 Revolving Fund for the ~~State Budget Office~~ of State Finance. The
22 ~~said~~ revolving fund shall consist of any monies received for rental
23 of machine metered time, sale of scrap cards and paper, and any
24 other miscellaneous receipts. The revolving fund herein created may

1 be expended for the same purposes and in the same manner as
2 appropriated funds.

3 SECTION 6. AMENDATORY 62 O.S. 2001, Section 41.2, is
4 amended to read as follows:

5 Section 41.2 The Governor shall appoint a Director of the
6 Office of State Finance, by and with the consent of the Senate, who
7 shall hold office at the pleasure of the Governor and shall continue
8 to serve until ~~his~~ a successor is duly appointed and is qualified.

9 SECTION 7. AMENDATORY 62 O.S. 2001, Section 41.4, is
10 amended to read as follows:

11 Section 41.4 A. The Director of the Office of State Finance
12 shall have the power, ~~and it shall be his~~ duty under the direction
13 of the Governor to: ~~(1) to prepare~~

14 1. Prepare the budget document and assist in the drafting of
15 legislation to make it effective, ~~(2) to make;~~

16 2. Make field surveys and studies of governmental agencies,
17 looking toward economy and greater efficiency, ~~(3) to make;~~

18 3. Make allotments to control expenditures, ~~(4) to authorize;~~

19 4. Authorize transfers of appropriation authorized by law, ~~(5)~~
20 ~~to study;~~

21 5. Study accounting and other reports rendered by the Central
22 Accounting and Reporting Division, ~~(6) to enter;~~

23 6. Enter into agreements with the United States Secretary of
24 the Treasury for the purpose of implementing ~~the Cash Management~~

1 ~~Improvement Act of 1990 (Public Law 101-453), and (7) to aid federal~~
2 law; and

3 7. Aid the Governor in the economical management of state
4 affairs.

5 B. In addition to ~~his~~ other duties, the Director of the Office
6 of State Finance shall, upon request, advise and consult with
7 members of the Legislature and legislative committees concerning
8 income revenue and expenditures of state agencies.

9 SECTION 8. AMENDATORY 62 O.S. 2001, Section 41.23, is
10 amended to read as follows:

11 Section 41.23 The ~~Budget~~ Director of the Office of State
12 Finance, with the approval of the Governor, shall employ and make
13 the appointment of such experts and assistants as may be necessary
14 to execute the purposes of ~~this act~~ the Oklahoma State Finance Act.
15 No appointments to positions shall be made in excess of ~~the position~~
16 those positions authorized by ~~act of the~~ the Legislature for the
17 Division of the Budget ~~and~~, the Division of Central Accounting and
18 Reporting and the Information Services Division.

19 SECTION 9. AMENDATORY 62 O.S. 2001, Section 41.42, is
20 amended to read as follows:

21 Section 41.42 ~~Effective July 1, 1986, the~~ The position of
22 Public Information Officer within the Office of State Finance shall
23 ~~become~~ be subject to the provisions of the Merit System of Personnel
24 Administration prescribed by the Oklahoma Personnel Act, Section

1 ~~840.1~~ 840-1.1 et seq. of Title 74 of the Oklahoma Statutes, and the
2 rules promulgated thereunder. ~~The incumbent employee shall be~~
3 ~~granted permanent status in the classified service without regard to~~
4 ~~qualifications or examinations, in the class to which the position~~
5 ~~is allocated by the Office of Personnel Management.~~

6 SECTION 10. AMENDATORY 62 O.S. 2001, Section 7.5, is
7 amended to read as follows:

8 Section 7.5 The Director of the Office of State Finance is
9 hereby authorized and directed to classify funds in the State
10 Treasury and to prescribe the manner of issuance of checks or
11 warrants against each class of funds to accomplish the purpose for
12 which each such fund was created, ~~and the~~. The State Treasurer
13 shall be, and is, required to keep ~~his~~ fund accounts in accordance
14 with such classification. The Director of the Office of State
15 Finance shall group funds of a similar nature in a series of
16 classes. Accounting entities otherwise designated as funds, by
17 other provisions of law, may be+ retained, deactivated, merged with
18 other such entities or identified as accounts within funds as the
19 Director of the Office of State Finance determines to be appropriate
20 for purposes of the modernization and maintenance of the fund
21 structure of the state.

22 SECTION 11. AMENDATORY 62 O.S. 2001, Section 7.13, is
23 amended to read as follows:

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1 Section 7.13 The Director of the Office of State Finance shall
2 cause to be prepared a comprehensive annual financial report, in
3 accordance with generally accepted accounting principles for
4 governments, and shall further have the general purpose financial
5 statements included in the comprehensive annual financial report
6 audited in accordance with generally accepted auditing standards.
7 The Director ~~of State Finance~~ is hereby authorized to establish
8 procedures and guidelines which are consistent with those issued by
9 the Government Accounting Standards Board, and which shall be
10 followed by state agencies, colleges and universities and other
11 entities who are included in the report, for purposes of
12 establishing consistent application of accounting principles and to
13 ensure the timeliness of the report.

14 SECTION 12. AMENDATORY 62 O.S. 2001, Section 41.5, is
15 amended to read as follows:

16 Section 41.5 ~~On July 1, 1947, the~~ The Division of Central
17 Accounting and Reporting shall ~~take over the~~ be responsible for
18 accounting and auditing duties ~~now performed by the claim auditing~~
19 ~~and bookkeeping sections of the Office of Public Affairs,~~ and the
20 auditing and settlement of purchase orders, contracts, claims,
21 payrolls, and other obligations ~~now performed by the Pre-Audit~~
22 ~~Division and the Bookkeeping and Accounting Division of the present~~
23 ~~State Auditor and Inspector.~~

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1 ~~By July 1, 1947, the~~ The Division of Central Accounting and
2 Reporting shall prepare uniform budget and accounting
3 classifications for all state ~~departments, boards, commissions,~~
4 ~~institutions, and agencies now delegated to the Governor and there~~
5 ~~shall also be transferred to this division the work of installing~~
6 ~~modern~~ and shall implement appropriate accounting methods and
7 systems in the state departments and institutions now delegated to
8 ~~the State Auditor and Inspector~~ state agencies. The positions now
9 ~~authorized for this work in the several offices and the equipment~~
10 ~~now used by the personnel of these offices, on July 1, 1947, shall~~
11 ~~be transferred to the Division of Central Accounting and Reporting~~
12 ~~within the Executive Department.~~ The Division of Central Accounting
13 and Reporting shall:

- 14 1. Settle all claims payable by this state; ~~and~~
- 15 2. Verify distribution of all taxes and other dues collected
16 for local governments; ~~and~~
- 17 3. Superintend the recovery of all debts due state government;
18 ~~and~~
- 19 4. Keep the central budget and proprietary accounts of the
20 state government; ~~and~~
- 21 5. Prepare and issue financial and accounting reports, at least
22 quarterly; ~~and~~

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1 6. Prescribe all forms, systems, and procedure for
2 administering accounting for the several departments and
3 establishments; ~~and~~

4 7. At the request of a state agency, assist in establishing
5 standards, policies and procedures that ensure a strong and
6 effective system of internal controls and regular monitoring of
7 them;

8 ~~8. Certify to the Director of State Finance for his approval,~~
9 each and every requisition by a duly accredited disbursing officer
10 for an advance of funds from the State Treasury to the Director of
11 the Office of State Finance for approval; and

12 ~~8- 9. Establish a pre-audit system of settling claims, either~~
13 ~~for the entire government of this state, or and for any bureaus or~~
14 ~~departments thereof, according to state agencies in which system~~
15 vouchers supporting proposed payments ~~shall be~~ are submitted to the
16 ~~Director Office~~ Office of State Finance for audit and settlement.

17 SECTION 13. AMENDATORY 62 O.S. 2001, Section 41.5g, as
18 amended by Section 2, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2007,
19 Section 41.5g), is amended to read as follows:

20 Section 41.5g ~~The Director of State Finance shall, by~~
21 ~~appropriate notification, advise agencies of the state when~~
22 ~~applications of the Integrated Central Systems are available for~~
23 ~~their use. Thereafter, each~~ Each agency of the state shall submit
24 transactions to the Office of State Finance, the Office of Personnel

1 Management, and the Department of Central Services in the manner and
2 format required to effectuate the utilization of the Integrated
3 Central Systems for all transactions for which an application is
4 available.

5 Provided, that nothing in this section shall be construed as to
6 administratively place agencies currently exempt from any provisions
7 of the ~~Budget Act of 1947~~ Oklahoma State Finance Act, the Central
8 Purchasing Act, or the Oklahoma Personnel Act under the purview of
9 such provisions.

10 SECTION 14. AMENDATORY 62 O.S. 2001, Section 41.31, is
11 amended to read as follows:

12 Section 41.31 It shall be the duty of the ~~Budget~~ Director of
13 the Office of State Finance, after making a complete detailed study
14 of each ~~department, institution, board, commission and~~ state agency,
15 to prepare the budget under the supervision and direction of the
16 Governor.

17 SECTION 15. AMENDATORY 62 O.S. 2001, Section 41.30, is
18 amended to read as follows:

19 Section 41.30 ~~The departments, institutions, boards,~~
20 ~~commissions and agencies of the state, upon request~~ Each state
21 agency shall immediately furnish the ~~Budget~~ Director ~~in such form as~~
22 ~~he may require,~~ of the Office of State Finance any information
23 ~~desired by him in his relation with~~ concerning their respective
24 affairs or activities, upon request and in such form as directed.

1 SECTION 16. AMENDATORY 62 O.S. 2001, Section 41.29, as
2 last amended by Section 2, Chapter 311, O.S.L. 2008 (62 O.S. Supp.
3 2008, Section 41.29), is amended to read as follows:

4 Section 41.29 A. ~~Except as provided for in subsection B of~~
5 ~~this section, on~~ On the first day of October preceding each regular
6 session of the Legislature, each ~~of the several state departments,~~
7 ~~bureaus, divisions, officers, commissions, and institutions~~ agency,
8 including those created or established pursuant to constitutional
9 provisions, ~~and other spending agencies~~ shall report to the Director
10 of the Office of State Finance and the Chair and Vice Chair of the
11 Legislative Oversight Committee on State Budget Performance, ~~in an~~
12 ~~electronic format for such purpose,~~ an itemized request showing the
13 amount needed for the ensuing fiscal year beginning with the first
14 day of July.

15 B. ~~The electronic format~~ forms which must be used in making
16 these reports shall be approved by the Director of the Office of
17 State Finance and the Legislative Oversight Committee on State
18 Budget Performance₇.

19 C. The forms shall be uniform, and shall clearly designate the
20 ~~kind of information to be given on the reports.~~ Information.

21 D. The information provided shall include, but not be limited
22 to:
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- 1 1. A budget analysis of existing and proposed programs
2 utilizing zero-based budgeting techniques. Such analysis shall be
3 included as a part of the estimate of funds needed;
 - 4 2. A statement listing any other state, federal or local
5 agencies which administer a similar or cooperating program and an
6 outline of the interaction among such agencies;
 - 7 3. A statement of the statutory authority for the missions and
8 quantified objectives of each program;
 - 9 4. A description of the groups of people served by each program
10 in the agency;
 - 11 5. A quantification of the need for the program;
 - 12 6. A description of the tactics which are intended to
13 accomplish each objective;
 - 14 7. A list of quantifiable program outcomes which measure the
15 efficiency and effectiveness of each program;
 - 16 8. A ranking of these programs by priority;
 - 17 9. Actual program expenditures for the current fiscal year and
18 prior fiscal years and the number of personnel required to
19 accomplish each program; and
 - 20 10. Revenues expected to be generated by each program, if any.
- 21 ~~Spending~~ E. These appropriated agencies shall make an itemized
22 estimate of needs and request for funds for the ensuing fiscal year
23 and an estimate of the revenues from all sources to be received by
24 the agency during the ensuing fiscal year.

1 F. The Director of the Office of State Finance shall submit to
2 the Governor and the Legislative Oversight Committee on State Budget
3 Performance no later than the fifth day of October a complete list
4 of all spending agencies which ~~fail~~ have failed to submit budgets by
5 October 1, ~~pursuant to the provisions of this section.~~

6 ~~B.~~ 1. G. The reports required by this section shall include an
7 itemized listing of outstanding capital lease debt and estimated
8 capital lease needs for the ensuing fiscal year, and shall be
9 provided on ~~official~~ forms ~~furnished~~ prescribed by the Director of
10 the Office of State Finance ~~for this purpose.~~

11 ~~2.~~ H. For the purposes of this section, "capital lease" means a
12 lease-purchase agreement which provides an option for the State of
13 Oklahoma or its agencies to purchase property, including personal
14 and real property, which is the subject thereof and/or a lease
15 agreement that provides an option for the State of Oklahoma or its
16 agencies to lease such property, which is the subject thereof, at a
17 nominal annual amount, after a period in which leased property is
18 rented at fair market value.

19 SECTION 17. AMENDATORY 62 O.S. 2001, Section 41.34, as
20 amended by Section 4, Chapter 311, O.S.L. 2008 (62 O.S. Supp. 2008,
21 Section 41.34), is amended to read as follows:

22 Section 41.34 Immediately after the beginning of each regular
23 session of the Legislature, the Governor shall submit to the
24 presiding officer of each house, ~~electronic~~ copies of the budget

1 based upon the investigations and conclusions of the Office of State
2 Finance. Such budget document shall contain a complete and itemized
3 plan of all proposed expenditures for each agency or undertaking
4 classified according to the various cabinet areas designated by the
5 Governor or otherwise created by law. Such expenditures shall be
6 further classified by function, character and object, and in the
7 event such proposed expenditures exceed the estimate made by the
8 State Board of Equalization, the Governor shall accompany the budget
9 document with a proposal of new revenue raising measures sufficient
10 to effect a balanced budget for ~~each year in~~ the ensuing fiscal
11 year.

12 SECTION 18. AMENDATORY 62 O.S. 2001, Section 41.33, as
13 amended by Section 3, Chapter 311, O.S.L. 2008 (62 O.S. Supp. 2008,
14 Section 41.33), is amended to read as follows:

15 Section 41.33 The budget shall be submitted to the Legislature
16 ~~electronically. Such budget~~ and shall be in two parts:

17 1. A budget message:

18 a. outlining the fiscal policy of the state for the
19 ~~biennium~~ fiscal year and describing the important
20 features of the budget ~~plan~~,

21 b. giving a summary of the budget setting forth aggregate
22 figures of proposed revenues and expenditures and the
23 balanced relations between the proposed revenues and
24 expenditures and the total expected income and other

1 means of financing the budget compared with the
2 corresponding figures for the preceding ~~biennium~~
3 fiscal year,

4 c. including explanatory schedules classifying proposed
5 expenditures by organization units, objects and funds,

6 d. giving estimated statements of assets and liabilities
7 as of the close of the preceding ~~biennium~~ fiscal year
8 and of the budget ~~biennium~~ year, and

9 e. explaining any proposed major increases in revenue
10 from any existing source or any new source of revenue
11 proposed, and

12 f. giving any further information or making any
13 suggestions; and

14 2. The detailed budget estimates of revenues and expenditures
15 for each fund as provided for in ~~Section 41.1 et seq. of this title~~
16 the Oklahoma State Finance Act showing the recommendations of the
17 Governor on each, compared with the figures for ~~each of the~~
18 preceding fiscal years of the preceding biennium year and giving an
19 explanation of each major change in the recommendations from the
20 revenues and expenditures in the previous ~~biennium~~ fiscal year.

21 SECTION 19. AMENDATORY 62 O.S. 2001, Section 9.10, is
22 amended to read as follows:

23 Section 9.10 Except as otherwise specifically provided by law,
24 the total amount of appropriations to a ~~public entity~~ state agency

1 contained in a bill shall be reduced by the amount that any monies
2 designated or limited for a specified purpose have been disapproved
3 by the Governor pursuant to Section 12 of Article ~~6~~ VI of the
4 Oklahoma Constitution. Any such monies shall remain in the fund
5 from which they were appropriated.

6 SECTION 20. AMENDATORY 62 O.S. 2001, Section 41.11, is
7 amended to read as follows:

8 Section 41.11 A. ~~When, in any act,~~ lump sum appropriations are
9 made for personal ~~service~~ services, or for maintenance and ~~operation~~
10 operations, or for maintenance and ~~operation~~ operations including
11 personal ~~service~~ services, ~~other than such appropriations for the~~
12 ~~Legislature, judiciary, or for expenses of holding elections,~~ no
13 monies so appropriated shall be available for payments for ~~personal~~
14 ~~service, or maintenance and operation, or maintenance and operation~~
15 ~~including personal service, except specified appropriations for~~
16 ~~temporary services or day labor~~ such expenses until a schedule of
17 positions and salaries and the amounts to be available for the
18 expenses ~~of maintenance and operation~~ shall have been approved by
19 the Director of the Budget Office of State Finance and a ~~certificate~~
20 ~~of such approval filed with the request officer of the spending~~
21 ~~agency concerned and the Division of Central Accounting and~~
22 Reporting posted to the state accounting system. The provisions of
23 this subsection shall not apply to such appropriations for the
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1 Legislature or judiciary, for expenses of holding elections, or for
2 temporary services or day labor.

3 B. Any such approved schedule of positions and salaries may be
4 amended, ~~however,~~ with the approval of the Director of the ~~Budget~~
5 ~~and the filing of a certificate thereof as provided above~~ Office of
6 State Finance.

7 C. The request officer for each ~~spending~~ agency shall show ~~on~~
8 ~~the forms provided, how he proposes to classify~~ the classification
9 of the expenditures for that spending their agency, and such
10 classification shall follow, ~~(except for items peculiar to certain~~
11 ~~departments or institutions),~~ the uniform budget and accounting
12 classifications adopted for similar spending agencies, except for
13 items peculiar to certain departments or institutions.

14 D. The ~~Budget~~ Director of the Office of State Finance shall not
15 have authority to fix the amount of any agency salary or eliminate
16 any position listed on such schedule. However, ~~he~~ the Director
17 shall not approve ~~said segregation~~ the schedule ~~in the event of~~
18 positions and salaries when the total amount of funds requested to
19 be allotted fails to reserve a sufficient balance ~~of the lump sum~~
20 ~~appropriation~~ to finance the operations of the ~~spending~~ agency
21 ~~concerned~~ for the remainder of that fiscal year, considering any
22 possible failure in the revenue estimated to be collected for that
23 fiscal year.

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1 E. The ~~Budget~~ Director of the Office of State Finance shall not
2 have the authority to curtail the operation of any particular part
3 of the program, but shall order a reduction in the total program
4 only where insufficient revenues are anticipated to carry on the
5 program for the period concerned.

6 SECTION 21. AMENDATORY 62 O.S. 2001, Section 41.6, is
7 amended to read as follows:

8 Section 41.6 ~~Appropriations made by the Legislature for the~~
9 ~~fiscal year beginning July 1, 1947 and thereafter,~~ shall not be
10 available for contractual or expenditure purposes until allotted as
11 provided in ~~this act~~ the Oklahoma State Finance Act. Appropriations
12 made by the Legislature to each state ~~department, board, commission,~~
13 ~~institution or agency,~~ are hereby declared to be maximum,
14 conditional and proportionate appropriations, ~~the~~. The purpose
15 being of this section is to make appropriations payable in full in
16 the amounts named only in the event that the estimated budget
17 resources within each state fund during each fiscal year are
18 sufficient to pay all of the appropriations for such fiscal year in
19 full. ~~The~~ It is also the purpose of this provision ~~is~~ to ~~insure~~
20 ensure that there shall be no overdraft or deficit created in the
21 several funds of the state at the end of any fiscal year, and the
22 ~~Budget~~ Director of the Office of State Finance is directed and
23 required so to administer ~~this act~~ the Oklahoma State Finance Act to
24 prevent such overdraft or deficit.

1 SECTION 22. AMENDATORY 62 O.S. 2001, Section 41.7c, is
2 amended to read as follows:

3 Section 41.7c A. On or before the first day of June in each
4 year, or as soon thereafter as possible, all agencies shall ~~be~~
5 ~~required to file budget work programs~~ agency budgets with the
6 Director of the Office of State Finance. Copies of all agency
7 ~~budget work programs~~ budgets shall also be made available
8 electronically to the staff of the Joint Legislative Committee on
9 Budget and Program Oversight.

10 B. The required instructions, content and format of ~~budget work~~
11 ~~programs~~ agency budgets shall be developed by the staff of the
12 Budget Division of the Office of State Finance.

13 C. 1. The ~~work programs~~ agency budget shall include a
14 description of all funds available to the agency for expenditure and
15 ~~setting~~ set out allotments requested by the agency by quarter and
16 the entire fiscal year.

17 2. The ~~work program~~ agency budget shall be accompanied by an
18 organizational chart of the agency, a statement of agency mission
19 and program objectives.

20 3. The ~~work program~~ agency budget shall ~~show budgeted~~ delineate
21 agency spending by ~~major program category at the activity level and~~
22 ~~may identify budgeted spending by subprogram category at the~~
23 ~~subactivity level. Major program categories identified in the~~
24 ~~budget work program shall conform to the major program categories as~~

1 ~~provided by law~~ such categories and with at least as much detail as
2 is specified in the legislative appropriation and as prescribed by
3 the Director of the Office of State Finance. ~~Budget work programs~~

4 4. Agency budgets shall be signed by the executive officer of
5 each agency. ~~Such program and allotment requests may be made by the~~

6 D. A "request officer" ~~who~~ shall be designated by each state
7 agency for ~~that~~ the purpose of making program and allotment
8 requests.

9 E. Executive officers of agencies shall cooperate with the
10 Office of State Finance staff and Joint Committee staff in
11 developing program budgeting categories.

12 F. All funds available or expected to be made available to any
13 agency, including nonfiscal appropriations, shall not be available
14 for expenditure until the request officer of the agency has complied
15 with the applicable provisions of ~~Sections 41.1 through 41.41 of~~
16 ~~this title~~ the Oklahoma State Finance Act and has received approval
17 of such request for funds from the Director of the Office of State
18 Finance.

19 SECTION 23. AMENDATORY 62 O.S. 2001, Section 41.41, is
20 amended to read as follows:

21 Section 41.41 A. All ~~departments, institutions, boards,~~
22 ~~commissions and~~ agencies of the state shall submit to the State
23 Director of the Office of State Finance in all ~~budget and work~~
24 ~~program reports~~ agency budgets, in addition to other required

1 information, whether such reports relate to past, present or future
2 expenditures, an itemization of the amount attributable to each of
3 the following expenses:

4 1. The number of persons, total amount of all salaries, the
5 total amount of travel and subsistence expense and the total amount
6 of personnel expense for:

7 a. data processing directors,

8 b. systems analysts,

9 c. programmers,

10 d. electronic data processing operators,

11 e. punch card machine operators,

12 f. data processing control personnel,

13 g. data processing clerical personnel, and

14 h. other data processing personnel;

15 2. Rental of data processing equipment;

16 3. Purchase of data processing equipment;

17 4. Maintenance of data processing equipment, if not included in
18 rental expense;

19 5. Data processing supplies;

20 6. Data processing planning;

21 7. Data processing conversion from one system to another;

22 8. Rental and purchase of non-data processing equipment and
23 supplies utilized in a data processing operation;

24 9. Shipment of data processing equipment;

- 1 10. Rental of communication lines for transmission of data
2 processing information;
- 3 11. Data processing education;
- 4 12. Rental of software packages;
- 5 13. Contracting for development of systems; and
- 6 14. Other data processing expense.

7 B. All disbursements made from treasury funds by any state
8 ~~department, institution, board, commission or~~ agency for the above-
9 named expenses shall be budgeted to and disbursed from a special
10 allotment account to be created by the ~~State~~ Director of the Office
11 of State Finance.

12 C. This section shall not preclude agencies from programming
13 and expending intra-agency data processing costs for cost allocation
14 purposes.

15 SECTION 24. AMENDATORY 62 O.S. 2001, Section 41.32, is
16 amended to read as follows:

17 Section 41.32 In any year in which a Governor-elect assumes
18 office, the budget shall be the budget of the new Governor and shall
19 be submitted to the Legislature by ~~him~~ the new Governor. The
20 Division of the Budget shall render to the Governor-elect all
21 possible assistance in the preparation of the budget. The Governor
22 and ~~the departments, institutions or~~ agencies of the state shall
23 furnish the Governor-elect estimates and other budget information,
24

1 in order that the Governor-elect may discharge effectively his or
2 her budget responsibilities upon assuming office.

3 SECTION 25. AMENDATORY 62 O.S. 2001, Section 41.39, is
4 amended to read as follows:

5 Section 41.39 ~~The Division of the Budget Office of State~~
6 Finance is hereby authorized to provide the Governor-elect and
7 Lieutenant Governor-elect with such reasonable and necessary
8 services as the Governor-elect or Lieutenant Governor-elect may
9 request in the performance of ~~his~~ their duties prior to taking
10 office and in preparation for assuming the duties of office. The
11 ~~Division of the Budget Office of State Finance~~ is further authorized
12 to allocate from the funds appropriated to ~~said Division~~ the Office
13 of State Finance the sum of Thirty Thousand Dollars (\$30,000.00), or
14 so much thereof as may be necessary for use by the Governor-elect,
15 if not incumbent, and the sum of Ten Thousand Dollars (\$10,000.00),
16 or so much thereof as may be necessary for use by the Lieutenant
17 Governor-elect, if not incumbent, for expenses of personal services,
18 office expense, supplies, materials, travel and other necessary
19 expenses incurred by such Governor-elect or Lieutenant Governor-
20 elect in the performance of his or her duties prior to taking office
21 and in preparation for assuming the duties of office.

22 SECTION 26. AMENDATORY 62 O.S. 2001, Section 9.1, is
23 amended to read as follows:

24

1 Section 9.1 A. ~~Effective February 10, 1947, and thereafter,~~
2 ~~revenues~~ Revenues deposited in the State Treasury to the credit of
3 the General Revenue Fund or of any special fund which derives its
4 revenue in whole or part from state taxes or fees shall be allocated
5 monthly to each ~~department, institution, board, commission~~ state
6 agency or special appropriation on a percentage basis, in that ratio
7 that the total appropriation for each such ~~department, institution,~~
8 ~~board, commission~~ state agency or special appropriation from each
9 fund for that fiscal year bears to the total of all appropriations
10 from each fund for that fiscal year. Appropriation allocations to
11 the State Board of Education for the financial support of public
12 schools shall be effective August 1 of the fiscal year in which they
13 apply.

14 B. A cash account shall be maintained by the agency of the
15 state charged with the allocation of revenues for each ~~department,~~
16 ~~board, commission, institution,~~ agency or special appropriation
17 which receives appropriations from the general fund or any special
18 fund, and no check or warrant shall be issued in excess of the
19 unexpended balance of said cash account at the time such check or
20 warrant is issued.

21 C. Cash allocations to each cash account shall be cumulative
22 and shall be available for the payment of any claim incurred within
23 the appropriations for which such cash was allocated, including
24 claims incurred against nonfiscal year appropriations which are

1 available for contracts for thirty (30) months from date such acts
2 are passed.

3 D. Revenue allocations shall be made to nonfiscal
4 appropriations ~~during~~. During the applicable fiscal year such
5 appropriations ~~first shall~~ become available for expenditure ~~and for~~.
6 Such appropriations may be expended only in that fiscal year only.
7 This limitation applies equally to those revenue allocations made to
8 such appropriation.

9 E. ~~Appropriation acts~~ Measures passed by the Legislature
10 appropriating revenues from the General Revenue Fund, which are
11 supplemental to the original budget in effect on July 1 of any
12 fiscal year, shall be considered supplemental appropriations and
13 shall receive revenue allocations for the first time in the month in
14 which such acts become effective in compliance with Section 23~~7~~ of
15 Article 10~~7~~, X of the Oklahoma Constitution ~~of the State of Oklahoma.~~

16 F. Supplemental appropriations from the General Revenue Fund
17 passed by the Legislature in excess of the Board of Equalization's
18 estimate for that fiscal year shall be null and void.

19 SECTION 27. AMENDATORY 62 O.S. 2001, Section 41.15, is
20 amended to read as follows:

21 Section 41.15 ~~Effective July 1, 1947 and thereafter, the A.~~
22 The Division of Central Accounting and Reporting shall allocate all
23 revenues ~~thereafter deposited~~ to the credit of any fund in the State
24 Treasury except the Public Building Fund, in accordance with the

1 provisions of Section 23, of Article 10, X of the Oklahoma
2 ~~Constitution of Oklahoma, as amended on March 11, 1941, and House~~
3 ~~Bill No. 30, Regular Session of the Twenty-First Legislature.~~

4 B. The ~~Budget~~ Director of the Office of State Finance may
5 require that appropriations for capital ~~outlay~~ expenditures be
6 financed by a separate cash account so that allocations of cash to
7 any agency for purposes of constructing buildings, making
8 improvements, purchasing equipment, ~~ete.~~ or other capital
9 expenditures, may not be used to finance the current operations of
10 the ~~institution, department, or~~ agency.

11 C. Appropriations which are nonfiscal for contractual and
12 expenditure purposes, shall be considered fiscal for revenue
13 purposes, but may be allotted for expenditure at any time within
14 thirty (30) months from date such acts are ~~passed~~ enacted. Revenue
15 which accrues to the credit of the Public Building Fund in the State
16 Treasury ~~which derives its revenue under the provisions of Title 74,~~
17 ~~Section 98, O.S.1951,~~ shall be allocated to the appropriations from
18 the Public Building Fund in consecutive order. The Governor shall
19 designate the order of payment of the appropriations from the Public
20 Building Fund. The ~~Budget~~ Director of the Office of State Finance
21 shall allocate the collections sufficient to pay the first
22 appropriation designated by the Governor, before ~~he~~ the Director
23 allocates any amount to the second and so on, until all
24 appropriations are provided for. The contracting agency receiving

1 such appropriation shall not contract the same until revenue has
2 been allocated as provided in ~~this act~~ the Oklahoma State Finance
3 Act.

4 SECTION 28. AMENDATORY 62 O.S. 2001, Section 41.8, is
5 amended to read as follows:

6 Section 41.8 Federal funds received by any agency of the state
7 shall be deposited in the State Treasury and disbursed upon warrants
8 issued by the State Treasurer ~~and~~. These funds shall be subject to
9 the other fiscal controls imposed by ~~this act~~ the Oklahoma State
10 Finance Act, except where federal laws and/or regulations of ~~the a~~
11 federal agency which makes such funds available to the State
12 requires such federal funds to be granted, deposited, allocated or
13 expended through channels other than those required by the
14 provisions of ~~this act~~ the Oklahoma State Finance Act.

15 SECTION 29. AMENDATORY 62 O.S. 2001, Section 41.9, is
16 amended to read as follows:

17 Section 41.9 ~~Effective July 1, 1947, and thereafter,~~
18 ~~appropriations~~ A. Appropriations and/or federal funds, shall be
19 allotted for each ~~spending~~ agency ~~by the use of a method which shall~~
20 ~~be known as the line item method of allotting appropriations whereby~~
21 ~~items requested may be allotted on either a monthly, quarterly,~~
22 ~~semiannual or annual basis upon the written request of the agency~~
23 ~~concerned and the approval of the Budget Director~~ as provided by the
24 language of the legislative appropriation and other applicable state

1 law. Items may be allotted on a monthly, quarterly, semiannual or
2 annual basis upon the written request of the agency and the approval
3 of the Director of the Office of State Finance.

4 B. The request officer for each ~~spending~~ agency shall ~~show on~~
5 ~~the forms provided,~~ present the proposed classification of the
6 expenditures for that ~~spending~~ agency in such manner as may be
7 required by the Office of State Finance.

8 C. Each agency shall be required to identify those items that
9 are for capital purposes in keeping with the definition of capital
10 projects promulgated by the Long-Range Capital Planning Commission.
11 Requests for capital appropriations and an agency's original budget
12 request shall be for capital projects that have been submitted to
13 the Long-Range Capital Planning Commission for review.

14 D. The ~~Budget~~ Director of the Office of State Finance shall
15 review the requested allotments with respect to the ~~work program~~
16 agency budget with each ~~spending~~ agency and shall, ~~if the Director~~
17 ~~deems it necessary,~~ The Director may require said spending the
18 agency to ~~revise, alter or~~ change such allotments before approving
19 ~~the same~~ them, if it is deemed necessary, reserving a sufficient
20 balance in the appropriation to finance the operations of the
21 ~~spending~~ agency for the remainder of any fiscal year.

22 E. At the end of any fiscal year, the entire amount
23 appropriated to any ~~spending~~ agency must be allotted to the agency
24 by the ~~Budget~~ Director of the Office of State Finance, except where

1 the estimated budget resources during any fiscal year are
2 insufficient to pay all of the appropriations of the state in full
3 for such year ~~in full~~. The ~~Budget~~ Director of the Office of State
4 Finance shall not allot to any ~~spending~~ agency during any fiscal
5 year, an amount which will be in excess of the amount of revenue
6 collected and allocated to appropriations made to such ~~spending~~
7 agency.

8 F. In the event of a failure of revenue, the ~~Budget~~ Director of
9 the Office of State Finance shall control the allotment
10 ~~authorizations~~ to prevent obligations being incurred in excess of
11 the revenue to be collected. However, ~~the Budget Director shall~~
12 ~~make all reductions~~ within each state fund where a revenue failure
13 occurs, the Director of the Office of State Finance shall make all
14 reductions apply to each ~~department, institution, board, commission~~
15 state agency or special appropriation made by the State Legislature,
16 in the ratio that its total appropriation for that fiscal year bears
17 to the total of all appropriations for that fiscal year, as provided
18 in Section 23~~7~~ of Article 10, X of the Oklahoma Constitution ~~of~~
19 Oklahoma.

20 ~~Appropriation~~ G. An allotment may be approved for any item for
21 the entire year or may be approved on a monthly, quarterly, or
22 semiannual basis, but in no case shall the aggregate of such
23 allotments for any ~~spending~~ agency exceed the total appropriation
24 made available to such ~~spending~~ agency for the fiscal year to which

1 they apply. Each ~~spending~~ agency's request for appropriation
2 allotments shall show the amount required to finance each item of
3 the request for the entire year and ~~for each quarter beginning July~~
4 ~~1st, October 1st, January 1st and April 1st,~~ on a quarterly basis
5 within each fiscal year.

6 H. The ~~Budget~~ Director of the Office of State Finance shall
7 ~~consider the~~ review each allotment request for the purpose of ~~making~~
8 ~~a determination of~~ determining whether: ~~(1) That such~~

9 1. The itemized requests are in accordance with the agency
10 ~~budget plan approved by the Legislature;~~ ~~(2) that the~~

11 2. The accounting classification is sufficient to reflect the
12 purposes for which the expenditures are to be made; ~~(3) that the~~

13 3. The current financial requirements of the ~~spending~~ agency
14 ~~concerned, justifies~~ justify the monthly or quarterly allotment ~~to~~
15 ~~be made for each quarter,~~ reserving a sufficient balance ~~in the~~
16 ~~appropriation~~ to finance the remaining months or quarters; ~~(4) that~~
17 ~~the~~ and

18 4. The realization of the estimated revenues is sufficient to
19 allow the ~~commitments~~ allotments to be made.

20 I. The Legislature shall be exempt from submitting any ~~program~~
21 ~~of work or quarterly~~ agency budget or allotment request.

22 SECTION 30. AMENDATORY 62 O.S. 2001, Section 41.13, is
23 amended to read as follows:

24

1 Section 41.13 A. All ~~departments, institutions, or~~ agencies of
2 the state which are operating either partially or entirely from
3 revenues derived from sources other than legislative appropriations,
4 or authorizations shall file requests for allotments under the same
5 provisions ~~herein stated~~ as are required for those agencies that
6 receive direct legislative appropriations which distinctly specify
7 the amount appropriated.

8 B. The ~~Budget~~ Director of the Office of State Finance shall
9 approve such requests for allotments ~~on a line item basis~~ pursuant
10 to the language of the legislative appropriation and other
11 applicable state law, if the estimated revenues accruing to such
12 fund are sufficient to finance such allotments within the period for
13 which the items are approved, and if the account classification ~~is~~
14 ~~sufficient to show~~ clearly shows the purposes for which the money is
15 to be expended, ~~except that.~~ However, obligations as they are
16 incurred may not exceed the unencumbered balance of surplus cash on
17 hand in accordance with Section 23, of Article 10, X of the Oklahoma
18 Constitution of the State of Oklahoma.

19 C. The ~~Budget~~ Director of the Office of State Finance may
20 require a more detailed breakdown of accounts before ~~he approves~~
21 approving such requests ~~if the request fails to show sufficient~~
22 ~~information for the Division of Central Accounting and Reporting.~~

23 D. This section shall apply to ~~such spending agencies as the~~
24 ~~State Highway Department, Fish and Game Department, Oklahoma~~

1 ~~Employment Security Commission and other spending agencies operating~~
2 ~~under similar financial arrangements, including federal funds~~
3 ~~received by any spending agency of the state~~ receiving federal
4 funds, but shall not apply to donated funds, trust funds or funds of
5 an agency relationship.

6 SECTION 31. AMENDATORY 62 O.S. 2001, Section 41.10, is
7 amended to read as follows:

8 Section 41.10 ~~The Budget~~ A. If an allotment request is
9 approved by the Director of the Office of State Finance, it shall,
10 ~~if he approves the requested allotments, transmit a copy as approved~~
11 be transmitted to the request officer of the ~~spending~~ agency
12 concerned and ~~also a copy~~ to the Division of Central Accounting and
13 Reporting.

14 B. Legislative appropriations which serve as or authorizations
15 are the legal basis for expending the state's monies, and against
16 ~~which allotments.~~ Allotments shall be made, shall be set up against
17 these legislative appropriations or authorizations and shall be
18 entered on the records of the Division of Central Accounting and
19 Reporting in such accounts as may be required by the Director of the
20 Office of State Finance.

21 C. The allotments approved by the Budget Director against such
22 appropriations, of the Office of State Finance shall be the portion
23 of the appropriation set aside to cover encumbrances and
24 expenditures for a designated purpose during a monthly, quarterly,

1 semiannual or annual period. ~~The allotments authorized by the~~
2 ~~Budget Director shall be filed with the Division of Central~~
3 ~~Accounting and Reporting and shall be set up on the records of the~~
4 ~~Division of Central Accounting and Reporting in such accounts as may~~
5 ~~be required by the Budget Director.~~

6 D. The Division of Central Accounting and Reporting shall not
7 approve claims for payment in excess of the amount allotted for each
8 account approved by the ~~Budget Director~~ of the Office of State
9 Finance.

10 E. After the first allotments for each agency of the state have
11 been authorized by the ~~Budget Director~~ for each agency of the state
12 of the Office of State Finance, subsequent allotments may be
13 authorized upon the request of ~~the~~ an agency ~~concerned~~ and with the
14 approval of the ~~Budget Director~~ of the Office of State Finance.

15 F. The ~~Budget Director~~ of the Office of State Finance may
16 authorize new accounts in addition to those requested in the
17 original allotment request, or may increase the amount allotted for
18 a monthly, quarterly, semiannual or annual period. A balance
19 remaining in any of the allotment accounts at the end of any
20 monthly, quarterly, or semi-annual period, shall be available for
21 expenditure the subsequent period; however, subsequent allotment
22 requests and the ~~Budget Director's~~ approval should take into
23 consideration any unencumbered or unexpended balance remaining at
24 the time such subsequent requests are approved.

1 SECTION 32. AMENDATORY 62 O.S. 2001, Section 41.46, is
2 amended to read as follows:

3 Section 41.46 A. The administrative head of any agency or the
4 request officer ~~as defined in Section 41.7c of this title,~~ may
5 request that any current item of appropriation, ~~appropriation~~
6 allotment, ~~program~~ or budget category ~~or work program~~ be transferred
7 to any other ~~program~~ budget category within the same agency.

8 B. The administrative head shall make a request for ~~program~~
9 budget transfer to the Director of the Office of State Finance in
10 writing and file a revised agency budget ~~work program~~.

11 C. Copies of the request for ~~program~~ budget transfer and
12 corresponding agency budget work program revisions shall also be
13 filed ~~with the Joint Legislative Committee on Budget and Program~~
14 ~~Oversight as created by Section 41.47 of this title~~ as directed by
15 the Contingency Review Board.

16 D. The Director of the Office of State Finance ~~shall~~ may
17 approve the request for transfer ~~unless both the Chair and Vice~~
18 ~~Chair of the Joint Legislative Committee on Budget and Program~~
19 ~~Oversight provide written notification to the Director of State~~
20 ~~Finance within twelve (12) calendar days of receipt of transfer~~
21 ~~request that the transfer subverts the intention and objectives of~~
22 ~~the Legislature in establishing the original appropriation, or~~
23 ~~unless the transfer does not meet the requirements of this section~~
24 ~~or Section 41.9 of this title. Notification of noncompliance with~~

1 ~~legislative intent shall be transmitted to the Director of State~~
2 ~~Finance within twelve (12) calendar days of receipt of the transfer~~
3 ~~request. The Director of State Finance and shall give written~~
4 notice of approval or disapproval of each ~~program~~ budget transfer to
5 the agency, ~~the Governor and the Chair and Vice Chair of the Joint~~
6 ~~Legislative Committee on Budget and Program Oversight and the~~
7 members of the Contingency Review Board within eighteen (18)
8 calendar days of receiving the request.

9 E. Transfers shall be subject to the following limitations:

10 1. The amount to be transferred, together with all previous
11 transfers, shall not exceed twenty-five percent (25%) of the total
12 appropriation of the least of the items of appropriation,
13 ~~appropriation~~ allotment or ~~work program~~ agency budget involved in
14 the transfer; and

15 2. If the amount to be transferred, and all previous transfers,
16 is greater than twenty-five percent (25%) of the least items of
17 appropriation, ~~appropriation~~ allotment or ~~work program~~ agency budget
18 involved in the transfer request, ~~upon written application the~~
19 agency may make an application to the Contingency Review Board and
20 transmit such application to the Director of the Office of State
21 ~~Finance, and the Chair and Vice Chair of the Joint Legislative~~
22 ~~Committee on Budget and Program Oversight and with.~~ If the agency
23 obtains written approval ~~by~~ from the Contingency Review Board, an
24 additional fifteen percent (15%) may be transferred.

1 SECTION 33. AMENDATORY 62 O.S. 2001, Section 41.14, is
2 amended to read as follows:

3 Section 41.14 A. 1. The Oklahoma State System of Higher
4 Education, established by Article XIII-A of the Oklahoma
5 Constitution ~~of this state~~, shall operate an allotment system
6 similar to the procedure set out in ~~this act~~ the Oklahoma State
7 Finance Act for other agencies of the state except that the Oklahoma
8 State Regents for Higher Education shall be substituted for the
9 ~~State Budget~~ Director of the Office of State Finance in connection
10 with approving allotment requests of the constituent institutions
11 comprising The Oklahoma State System of Higher Education.

12 2. The account classification for the State System of Higher
13 Education shall conform as nearly as possible with the
14 classification of accounts recommended by the National Committee on
15 Standard Reports for Institutions of Higher Education.

16 3. The Board of Regents shall allocate to each institution
17 under its control from the consolidated, or lump sum appropriation
18 made by the Legislature, an amount sufficient to meet the needs and
19 functions of each institution for the entire year ~~as is now provided~~
20 ~~by law, or may hereafter be provided by law.~~

21 4. The amount allocated to each institution for each fiscal
22 year in accordance with Article XIII-A, of the Oklahoma
23 Constitution, shall be made in a lump sum without regard to uniform
24 budget or accounting classifications, but shall not be available for

1 expenditure until subsequently allotted by the Regents in accordance
2 with the uniform budget and accounting classifications recommended
3 by the National Committee on Standard Reports.

4 B. The Oklahoma State Regents for Higher Education may reduce
5 the allocation of funds which could otherwise be made to an
6 institution within The Oklahoma State System of Higher Education in
7 order to make payments for leases within the lease financing program
8 authorized by Section 4 3206.5 of ~~this act~~ Title 70 of the Oklahoma
9 Statutes.

10 C. 1. The Regents, with the approval of the ~~Budget~~ Director of
11 the Office of State Finance, may allot money to any constituent
12 institution ~~under said Regents~~ to set up and operate a petty cash
13 fund at said institution, ~~said~~. Such petty cash fund ~~to~~ shall be
14 reimbursed upon the filing of claims showing the purposes for which
15 the funds were expended.

16 2. The Division of Central Accounting and Reporting shall make
17 cash allocations of revenue in accordance with Section 23, of
18 Article 10, X of the Oklahoma Constitution of Oklahoma, to each of
19 the constituent institutions, ~~considering the total allocation~~.
20 These cash allocations shall be based on the allocations made by the
21 Regents to each institution from the lump sum legislative
22 appropriations ~~as~~ and such allocation shall be the total
23 appropriation for each institution, in lieu of legislative
24 appropriations. ~~All~~

1 3. After these funds have been allocated and allotted as
2 provided in this section, all institutional income shall operate as
3 a continuing nonfiscal appropriation which may be spent for any
4 educational and general purposes for which appropriated funds may be
5 spent. "Institutional income" for such purposes shall mean all
6 income available for educational and general purposes, as defined in
7 the uniform budget and accounting classifications recommended by the
8 National Committee on Standard Reports, and including income defined
9 by law as revolving fund income, shall operate as a continuing
10 nonfiscal appropriation which may be spent for any educational and
11 general purposes for which appropriated funds may be spent, if
12 allocated and allotted as provided in this section; provided.
13 Expenditures shall be limited to the extent that the obligations as
14 they are incurred may not exceed the unencumbered balance of cash on
15 hand in accordance with Section 23, of Article 10, X of the Oklahoma
16 Constitution of the State of Oklahoma.

17 D. 1. At least thirty (30) days prior to the beginning of each
18 fiscal year, each of the constituent institutions shall file with
19 the Regents its request for appropriation allotments for each of the
20 purposes for which expenditures are to be made.

21 2. Such requests shall be broken down to conform to the uniform
22 budget or accounting classifications recommended by the National
23 Committee on Standard Reports.

1 3. Each institution's request for appropriation allotments
2 shall show the amount required to finance each item of the request
3 for the entire year and for each quarter or each six-months period
4 within the fiscal year, as required by the ~~Budget~~ Director of the
5 Office of State Finance.

6 E. The Regents, or ~~their designated~~ the official or employee
7 who has been authorized to approve itemize allotment requests, shall
8 consider the allotment requests for the purpose of making a
9 determination ~~of whether:~~ whether: ~~(1) that the~~

10 1. The current financial requirements of the institution
11 concerned justify the allotment to be made; ~~(2) that the~~

12 2. The accounting classification is sufficient to reflect the
13 purpose for which expenditures are to be made and that such
14 classification is in accordance with the budget classifications
15 adopted by the ~~Budget~~ Director of the Office of State Finance and
16 the Regents, which shall conform as nearly as possible to the
17 account classification recommended by the National Committee on
18 Standard Reports for Institutions of Higher Education; ~~(3) that the~~
19 and

20 3. The realization of estimated revenues determined by the
21 ~~Budget~~ Director of the Office of State Finance is sufficient to
22 allow the commitments to be made.

23 F. 1. In allotting appropriations and other funds, and
24 approving subsequent allotments which may be required by each

1 institution, the Regents shall follow the same general procedure set
2 forth in ~~this act~~ the Oklahoma State Finance Act for other agencies
3 of the state not under the control of said Regents, except as
4 otherwise provided in this section.

5 2. All forms and account classifications shall be mutually
6 agreed upon by the ~~Budget~~ Director of the Office of State Finance
7 and the State Regents.

8 3. The Regents shall file approved requests of constituent
9 institutions with the Division of Central Accounting and Reporting
10 and such ~~approved~~ requests shall be entered on the records of the
11 ~~state~~ Office of State Finance in the same manner as is provided in
12 ~~this act~~ the Oklahoma State Finance Act for other agencies of the
13 state.

14 4. The State Regents and the ~~Budget~~ Director of the Office of
15 State Finance shall approve any request from the administrative head
16 of a constituent institution for amendment of the approved schedule
17 of positions and salaries, or transfers between items, so long as
18 the currently approved allotment for such purposes is not exceeded,
19 ~~and each.~~ Each such amendment shall be filed with the ~~Budget~~
20 ~~Director~~ Office of State Finance, in such detail as ~~he~~ may ~~require~~
21 be required, prior to the date on which the first payroll or other
22 disbursement affected by such amendment or transfer is submitted for
23 payment.

24

1 G. 1. In the event that the realization of estimated revenues
2 at any time during the fiscal year indicates that the total revenue
3 for that fiscal year to any state fund will be insufficient at the
4 end of the fiscal year to meet the total appropriations from that
5 fund, the ~~State Budget~~ Director of the Office of State Finance shall
6 notify the Oklahoma State Regents ~~of~~ for Higher Education ~~as to~~ of
7 the amount ~~of reduction necessary against the consolidated, or lump~~
8 ~~sum appropriations, made to the Regents~~ to reduce their lump sum
9 appropriations to avoid the creation of a deficit and remain in
10 compliance with Section 23 of Article X of the Oklahoma
11 Constitution. Such reductions against the lump sum appropriation
12 shall not exceed the percentage reduction ordered against other
13 agencies of the state from that fund.

14 2. Upon receipt of notice from the Director of the Office of
15 State Finance of a necessary reduction in the lump sum
16 appropriation, to meet a failure in revenue, the Regents shall
17 immediately take action to control the approval of subsequent
18 allotment requests sufficient to make the aggregate reduction in
19 allotments of all constituent institutions under their control equal
20 the amount of reduction ordered.

21 3. The Regents in making itemized allotments during the fiscal
22 year, may reserve an amount of funds sufficient to meet a reasonable
23 failure of revenue ~~until~~. However, the total appropriation may be
24 allotted for expenditure upon receipt of notice from the ~~Budget~~

1 Director of the Office of State Finance that the ~~realization of~~
2 estimated revenues ~~indicates that the total appropriation may be~~
3 ~~allotted for expenditure. Upon receipt of notice from the Budget~~
4 ~~Director of a necessary reduction in the consolidated, or lump sum~~
5 ~~appropriation, to meet a failure in revenue, the Regents of Higher~~
6 ~~Education shall immediately take action to control the approval of~~
7 ~~subsequent allotment requests sufficient to make the aggregate~~
8 ~~reduction in allotments of all constituent institutions under their~~
9 ~~control equal the amount of reduction ordered against the lump sum~~
10 ~~appropriation made by the Legislature. Such reductions against the~~
11 ~~lump sum appropriation shall not exceed the percentage reduction~~
12 ~~ordered against other agencies of the state in accordance with~~
13 ~~Section 23, Article 10, Oklahoma Constitution~~ of the Oklahoma State
14 Regents for Higher Education will be realized.

15 SECTION 34. AMENDATORY 62 O.S. 2001, Section 10.1, is
16 amended to read as follows:

17 Section 10.1 There is hereby created in the State Treasury a
18 division of the State General Revenue Fund which shall be designated
19 the "General Revenue Cash-flow Reserve Fund". The purpose of the
20 General Revenue Cash-flow Reserve Fund is to make cash available for
21 the July cash allocation and so that, insofar as possible, each
22 monthly cash allocation thereafter can equal one-twelfth (1/12) of
23 the annual appropriation from the General Revenue Fund.

24

1 1. Each year the Director of the Office of State Finance may
2 transfer monies from the then current fiscal year General Revenue
3 Fund to the General Revenue Cash-flow Reserve Fund for the
4 succeeding fiscal year when the apportionment to the General Revenue
5 Fund is in excess of amounts required for the allocations necessary
6 to fund appropriations made by the Legislature for the then current
7 fiscal year. The amount to be transferred shall not exceed ten
8 percent (10%) of the amount certified by the State Board of
9 Equalization as available for appropriation from the General Revenue
10 Fund for the next succeeding fiscal year.

11 2. Any monies transferred to the General Revenue Cash-flow
12 Reserve Fund pursuant to paragraph 1 of this section, shall be
13 transferred by the Director of the Office of State Finance as
14 nonrevenue receipts to the State General Revenue Fund in the amounts
15 necessary to make cash available for the July cash allocation and so
16 that, insofar as possible, each monthly cash allocation thereafter
17 can equal one-twelfth (1/12) of the annual appropriation.

18 3. On the second Monday of June of each year, the Director of
19 the Office of State Finance shall close the preceding fiscal year
20 General Revenue Cash-flow Reserve Fund by transfer to the then
21 current fiscal year General Revenue Fund.

22 4. Any monies in the prior year General Revenue Cash-flow
23 Reserve Fund which are not necessary for the current year cash-flow
24 needs shall be subject to legislative appropriation.

1 SECTION 35. AMENDATORY 62 O.S. 2001, Section 10.3, is
2 amended to read as follows:

3 Section 10.3 A. The Director of the Office of State Finance
4 may transfer monies from any treasury fund to the General Revenue
5 Cash-flow Reserve Fund as required to satisfy monthly allocations
6 scheduled from the General Revenue Fund for the then current fiscal
7 year. Funds from which any monies are so transferred shall be
8 repaid before any transfers are made from the General Revenue Fund
9 to the General Revenue Cash-flow Reserve Fund for the subsequent
10 fiscal year.

11 B. The Director of the Office of State Finance may transfer
12 monies to any treasury fund from the General Revenue Cash-flow
13 Reserve Fund as required to satisfy cash-flow requirements of ~~Public~~
14 ~~Law 101-453~~, the federal Cash Management Improvement Act, ~~as~~
15 ~~amended~~, ~~31 U.S.C., Sections 3335, 6501 and 6503~~. Funds to which
16 any monies are so transferred shall be repaid within the same month.
17 If insufficient funds exist in the General Revenue Cash-flow Reserve
18 Fund for this purpose, the General Revenue Fund for the then current
19 fiscal year may be used with the same repayment stipulations.

20 SECTION 36. AMENDATORY 62 O.S. 2001, Section 7.2, as
21 amended by Section 1, Chapter 105, O.S.L. 2002 (62 O.S. Supp. 2008,
22 Section 7.2), is amended to read as follows:

23 Section 7.2 A. There is hereby re-created, to continue until
24 July 1, 2008, in accordance with the provisions of the Oklahoma

1 ~~Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma~~
2 ~~Statutes,~~ a Special Agency Account Board, to consist of the Director
3 of the Office of State Finance, the State Treasurer and the Director
4 of the Legislative Service Bureau. The Board shall have the
5 authority to approve the establishment of agency special accounts in
6 the official depository of the State Treasury. In the case of
7 institutions of higher education, the Special Agency Account Board,
8 acting in conjunction with the Oklahoma State Regents for Higher
9 Education, shall establish special agency accounts as appropriate
10 which shall be consistent with provisions of the ~~Oklahoma Budget Law~~
11 ~~of 1947, Section 41.1 et seq. of this title~~ Oklahoma State Finance
12 Act, as it relates to institutions in The Oklahoma State System of
13 Higher Education.

14 B. The Board, created by this section, shall adopt procedures
15 including application forms, justification and other pertinent
16 information as to the basis for a state agency application for the
17 establishment of agency special accounts.

18 C. The Board may approve agency special accounts for money
19 received by state agencies for the following purposes:

20 1. Benefit programs for individuals, including, but not limited
21 to, unemployment compensation, workers' compensation and state
22 retirement programs;

23 2. Revenues produced by activities or facilities ancillary to
24 the operation of a state agency which receive no money, directly or

1 indirectly, from or through that state agency, including, but not
2 limited to, revenues from the sales of food at retail level, sales
3 at canteens, sales at student unions, sales at student bookstores,
4 receipts from athletic programs and receipts from housing.
5 Provided, however, that a state institution of higher learning may
6 purchase necessary equipment and instructional supplies and office
7 supplies from a student bookstore, or, subject to authorization by
8 the Oklahoma State Regents for Higher Education, may rent building
9 space for institutional use in a building operated by an
10 organization or entity whose existence is ancillary to the operation
11 of a state agency, and whose cost was financed in whole or in part
12 with revenue-type bonds; provided, further, that the cost of such
13 office supplies or space rental shall not exceed the cost of similar
14 supplies or rentals available commercially;

15 3. Gifts, devises and bequests with an agency as beneficiary,
16 unless otherwise provided by statute;

17 4. Evidence funds for law enforcement agencies;

18 5. Student loan funds and scholarship funds;

19 6. Funds held in escrow;

20 7. Land Commission funds;

21 8. Funds for which the state agency acts as custodian,
22 including, but not limited to, fees from employee earnings approved
23 by the governing board of the agency, funds of student organizations
24 including student activity fees collected by an educational

1 institution as a separate item in enrollment procedures,
2 professional organizations, patients and inmates;

3 9. Funds used by the Oklahoma Tax Commission to pay for the
4 filing of liens with the Federal Aviation Administration;

5 10. Temporary accounts for funds arising from new or amended
6 legislation not otherwise provided for in statute or for other
7 emergency situations. Such accounts are to be utilized only pending
8 legislative action directing custody of such funds;

9 11. Payment of liability claims against the state;

10 12. Activities of the various Armory Boards of the Oklahoma
11 Military Department to receive and dispense funds derived by the
12 Armory Boards pursuant to Sections 232.6 and 232.7 of Title 44 of
13 the Oklahoma Statutes; and

14 13. Payment of expenses incurred in connection with the
15 acceptance of payments made with nationally recognized credit cards.

16 D. The State Treasurer is authorized to accept deposit of money
17 made directly to agency special accounts approved by the Board. All
18 money received by a state agency, as described in Section ~~7.1~~ 34.57
19 of this title, shall be deposited in State Treasury funds or
20 accounts and no money shall be deposited in banks or other
21 depositories unless the bank accounts are maintained by the State
22 Treasurer or are for the deposit of authorized petty cash funds.

23

24

1 E. Money deposited in agency special accounts shall be
2 disbursed on vouchers issued by the state agency concerned to
3 accomplish the purpose for which the money was intended.

4 F. Funds and revenues of the Grand River Dam Authority are
5 exempt from the requirements of this section.

6 G. Funds and revenues of the Oklahoma Municipal Power Authority
7 are exempt from the requirements of this section.

8 H. Monies used for investment purposes by the Oklahoma
9 Firefighters Pension and Retirement System, the Oklahoma Police
10 Pension and Retirement System, the Uniform Retirement System for
11 Justices and Judges, the Oklahoma Law Enforcement Retirement System,
12 the Oklahoma Public Employees Retirement System, the Teachers'
13 Retirement System of Oklahoma, the State Insurance Fund, the State
14 and Education Employees Group Insurance Board, the Commissioners of
15 the Land Office, and the Oklahoma State Regents for Higher Education
16 for its Endowment Trust Fund are exempt from the requirements of
17 this section, and shall be placed with the respective custodian bank
18 or trust company.

19 SECTION 37. AMENDATORY 62 O.S. 2001, Section 7.3, is
20 amended to read as follows:

21 Section 7.3 A. Each state agency shall furnish to the Director
22 of the Office of State Finance, in such form as the Director shall
23 prescribe, detailed information showing the income, disbursements,
24 and transfers for each agency clearing account and each agency's

1 special account. Income, disbursements and transfers shall be
2 identified in accordance with code designations as provided in the
3 accounting procedures of the Office of State Finance.

4 B. The Director of the Office of State Finance may approve any
5 modification in the code designations of income, disbursements and
6 transfers that he or she finds expedient.

7 C. The State Treasurer shall not honor vouchers disbursing and
8 transferring monies from agency clearing accounts or special
9 accounts, when he or she has been notified by the Director of the
10 Office of State Finance that an agency is not in compliance with the
11 provisions of subsection A of this section.

12 SECTION 38. AMENDATORY 62 O.S. 2001, Section 41.13a, is
13 amended to read as follows:

14 Section 41.13a No state agency ~~or entity~~ shall commit or expend
15 any funds from federal block grant funds created after ~~the effective~~
16 ~~date of this act~~ June 9, 1995, including, but not limited to,
17 employment, job training, vocational education, vocational
18 rehabilitation, adult education or literacy programs without:

- 19 1. Prior authorization;
- 20 2. Appropriation of the funds by the Legislature as provided in
21 Section 23 of Article ~~10~~ X of the Oklahoma Constitution; or
- 22 3. Other formal expression of legislative intent.

23 SECTION 39. AMENDATORY 62 O.S. 2001, Section 41.16, is
24 amended to read as follows:

1 Section 41.16 Encumbrance requirements for payments from funds
2 of the state shall include the following:

3 ~~A. 1.~~ Whenever ~~departments, institutions, boards, commissions~~
4 ~~or~~ agencies of this state enter into contracts for, or on behalf of
5 the state for the purchase of ~~goods, wares or merchandise, or for~~
6 ~~construction of buildings, roads, bridges or any other thing for~~
7 ~~which labor and materials must be furnished by outside vendors~~
8 tangible or intangible property, or for services or labor, such
9 agreement shall be evidenced by written contracts or purchase
10 orders, and must be transmitted to the Director of the Office of
11 State Finance within a reasonable time from the date of the awarding
12 of the contract or purchase order, as determined by the Director ~~of~~
13 ~~State Finance from the date of awarding of such contract or purchase~~
14 ~~order.~~;

15 ~~B. 2.~~ The Director of the Office of State Finance shall charge
16 such contracts, or purchase orders ~~or agreements~~, against the proper
17 ~~appropriation allotment~~ account as an outstanding order until it is
18 liquidated by payment of a claim, or claims, against said contracts
19 or purchase orders, or by cancellation of the contract or purchase
20 order;

21 ~~C. 3.~~ The Director of the Office of State Finance shall have
22 the ~~authority, and is hereby given the power to authorize~~
23 ~~departments, institutions, boards, commissions or agencies of the~~
24 state to make purchases ~~not requiring~~ without the submission of

1 competitive bids pursuant to Section as otherwise required by
2 Sections 85.7 and 85.12 of Title 74 of the Oklahoma Statutes, ~~or~~
3 ~~excluded from the purview of the Central Purchasing Act pursuant to~~
4 ~~Section 85.12 of Title 74 of the Oklahoma Statutes,~~ for or on behalf
5 of the state whenever the Director ~~of State Finance~~ determines that
6 it is in the best interests of the state ~~are served thereby.~~ The
7 administrative head of any agency shall be personally liable for
8 obligations incurred in excess of the authorization granted by the
9 Director ~~of State Finance.~~;

10 ~~D.~~ 4. The Director of the Office of State Finance shall never
11 authorize payment of claims ~~for the purchase of goods, wares and~~
12 ~~merchandise, or claims for contractual services,~~ for any agency of
13 the state unless ~~it is~~ they are supported by ~~(1):~~;

- 14 a. contracts or purchase orders of the ~~State Board of~~
15 ~~Public Affairs~~ Department of Central Services, ~~or (2)~~
- 16 b. institutional purchase orders or contracts, ~~or (3)~~
- 17 c. departmental purchase orders or contracts, or ~~(4)~~
- 18 d. authorizations for purchases granted by the Director
19 ~~of State Finance~~ as provided by ~~subsection C~~ paragraph
20 3 of this section.;

21 5. Any invoice or claim dated prior to the date of any of the
22 above-mentioned encumbrance documents shall be rejected by the
23 Director Office of State Finance.;

24

1 6. Any encumbrance document that is outstanding on the records
2 in the Office of State Finance ~~for a period of one (1) year~~ when its
3 funding source or sources lapse shall be canceled, ~~encumbrances for~~
4 ~~capital outlay excepted.~~ unless another current funding source is
5 assigned; and

6 7. The Commissioners of the Land Office shall be authorized to
7 make payment of fees to its custodial bank and investment managers
8 from the proceeds of total realized investment gains and such
9 payments may be made from a special fund hereby created in the State
10 Treasury for this purpose. Total payments for this purpose in a
11 fiscal year shall not exceed one-half percent (0.5%) of the market
12 value of the funds under the Commissioners' management on June 30 of
13 the previous fiscal year.

14 SECTION 40. AMENDATORY 62 O.S. 2001, Section 41.18, is
15 amended to read as follows:

16 Section 41.18 A. The State Treasurer shall be the disbursing
17 agency of the state and shall draw either checks or warrants payable
18 at the State Treasury, in payment of all claims, including payrolls,
19 against the state which shall be ~~by law directed to be paid out of~~
20 ~~the Treasury-~~, as follows:

21 1. Each check or warrant shall specify the date of its issue
22 and the name of the person to whom payable. ~~Each; and~~

23 2. For each check, or warrant, issued by the State Treasurer,
24 there shall be a record which shall specify ~~on its face~~ the gross

1 amount, the amount of withholding, if any, and the net amount
2 payable to the payee.

3 B. At the end of each month the State Treasurer shall report to
4 the Director of the Office of State Finance in such form as the
5 Director ~~of State Finance~~ shall prescribe, all checks or warrants
6 issued during the month. ~~Effective July 1, 1947, and thereafter,~~
7 ~~checks~~

8 C. Checks or warrants issued by the State Treasurer shall be
9 registered on the records of the State Treasurer in such manner as
10 shall be prescribed by the ~~Budget~~ Director of the Office of State
11 Finance; provided, that each check or warrant shall indicate thereon
12 the fund against which the same shall be charged. The purpose of
13 this section is to permit checks or warrants to be registered in the
14 order in which they are drawn upon the State Treasury, ~~provided,~~
15 ~~such checks or warrants indicate the treasury fund against which the~~
16 ~~same is charged.~~

17 SECTION 41. AMENDATORY 62 O.S. 2001, Section 41.21, as
18 amended by Section 1, Chapter 150, O.S.L. 2002 (62 O.S. Supp. 2008,
19 Section 41.21), is amended to read as follows:

20 Section 41.21 A. Except as otherwise provided ~~by subsections~~
21 ~~B, C, D, E, F, G, H, K and L of this section~~ in the Oklahoma State
22 Finance Act, procedures for ~~effecting payment of~~ paying claims or
23 payrolls shall include the following:

24

1 1. All miscellaneous claims and payroll claims ~~which are to be~~
2 ~~used to authorize~~ for the payment of money from the State Treasury,
3 shall be filed with the Director of the Office of State Finance for
4 audit and settlement prior to being filed for payment with the State
5 Treasurer; ~~provided, the~~

6 2. The Director of the Office of State Finance may establish
7 alternative procedures for the settlement of claims ~~through the~~
8 ~~Office of State Finance~~ whenever such procedures are deemed more
9 advantageous ~~and~~ so long as they are consistent with the
10 requirements of ~~Section 41.1 et seq. of this title.~~ state law;

11 3. Such alternative procedures ~~may include, but are not limited~~
12 ~~to,~~ shall be at the discretion of the Director of the Office of
13 State Finance and may include, but are not limited to:

14 a. a procedure to permit consolidated payment to vendors
15 for claims involving more than one agency of the state
16 when audit and settlement of such claims, as
17 hereinafter provided, can in all respects be
18 accomplished,

19 b. procedures based upon valid statistical sampling
20 models for preaudit of claims, ~~except for payroll~~
21 ~~claims and travel claims,~~ against contracts, purchase
22 orders and other commitments before entering such
23 claims against the ~~appropriation allotment~~ accounts,
24 and

1 c. policies, procedures and performance criteria for the
2 participation of agencies or departments, not
3 authorized ~~in subsections B through H of~~ by this
4 section, to engage in an alternative system for the
5 settlement of claims ~~through the Office of State~~
6 ~~Finance~~; and

7 2. 4. The Director of the Office of State Finance may use a
8 numeric or alphanumeric designation to cross-reference claims or
9 payrolls to check warrant numbers, transfer entry or optional
10 settlement mode used in the payment thereof.

11 B. After claims or payrolls or both have been properly audited
12 and recorded against the respective contracts, purchase orders,
13 other commitments and ~~appropriation allotment~~ accounts, the Division
14 of Central Accounting and Reporting shall certify such claims or
15 payrolls to the State Treasurer for payment.

16 C. It shall be the responsibility of the Division of Central
17 Accounting and Reporting to determine that:

18 ~~a. that all~~

19 1. All material legal requirements concerning the expenditure
20 of monies involved in each claim or payroll have been complied with,
21 and;

22 ~~b. that funds~~

23 2. Funds have been properly and legally allotted for the
24 payment of the claim or payroll; and ~~that a~~

1 3. A sufficient balance exists for the payment of same.

2 ~~Sufficient space shall be provided on each claim and payroll for~~
3 ~~the Director of State Finance to indicate that the claim or payroll~~
4 ~~has been approved for payment by the Division of Central Accounting~~
5 ~~and Reporting.~~

6 D. The Director of the Office of State Finance shall authorize
7 or bonded employees in the Division of Central Accounting and
8 Reporting to execute the signed approval of each claim or payroll
9 ~~which~~ authorized by the Director shall ~~be certified~~ certify to the
10 State Treasurer that the claim or payroll has been approved for
11 payment.

12 ~~B.~~ ~~The Department of Human Services is authorized to establish~~
13 ~~an encumbrance and preaudit system for settlement of claims relating~~
14 ~~to public assistance, social service benefits and medical benefits~~
15 ~~to or for persons eligible under applicable federal laws and rules,~~
16 ~~Oklahoma Statutes, and policies established by the Oklahoma~~
17 ~~Commission for Human Services. The following programs shall be~~
18 ~~eligible for this procedure:~~

- 19 ~~1. Aid to Families with Dependent Children;~~
- 20 ~~2. Aid to Aged, Blind and Disabled;~~
- 21 ~~3. Medical Assistance;~~
- 22 ~~4. Day Care;~~
- 23 ~~5. Refugee Resettlement;~~
- 24 ~~6. Low Income Heating and Energy Assistance;~~

- 1 ~~7. General Assistance;~~
- 2 ~~8. Crippled Children;~~
- 3 ~~9. Social Services under Title XX of the U.S. Social Security~~
- 4 ~~Act, 42 U.S.C., Section 301 et seq.;~~
- 5 ~~10. Adoption Subsidies;~~
- 6 ~~11. Foster Care;~~
- 7 ~~12. Medical Examination;~~
- 8 ~~13. Area Agencies on Aging;~~
- 9 ~~14. Any contract for service for which the Department of~~
- 10 ~~Central Services has approved as qualifying for a fixed and uniform~~
- 11 ~~rate pursuant to Section 85.7 of Title 74 of the Oklahoma Statutes;~~
- 12 ~~15. Sheltered Workshops;~~
- 13 ~~16. Contracted Group Homes;~~
- 14 ~~17. Rehabilitative Client Interpreters;~~
- 15 ~~18. Rehabilitative Client Drivers; and~~
- 16 ~~19. Maternal and Child Health Services Block Grant.~~

17 ~~The Department of Human Services shall provide to the Director~~

18 ~~of State Finance, for approval prior to inclusion in this procedure,~~

19 ~~detailed listings of the type of payments to be made for each of~~

20 ~~these programs. The Department of Human Services shall provide the~~

21 ~~Director of State Finance a daily report of the dollar amount of~~

22 ~~claims settled and checks or warrants written, the dollar amount of~~

23 ~~checks or warrants canceled, and the dollar amount of checks or~~

24 ~~warrants canceled by statutes.~~

1 ~~C. The State Department of Rehabilitation Services is~~
2 ~~authorized to establish an encumbrance and preaudit system for~~
3 ~~settlement of claims relating to social service benefits and medical~~
4 ~~benefits to or for persons eligible under applicable federal laws~~
5 ~~and regulations, Oklahoma Statutes, and policies established by the~~
6 ~~Commission for Rehabilitation Services for the following programs:~~

- 7 ~~1. Vocational and other rehabilitation;~~
- 8 ~~2. Educational services;~~
- 9 ~~3. Disability Determination Services; and~~
- 10 ~~4. Visual Services.~~

11 ~~The State Department of Rehabilitation Services shall provide to~~
12 ~~the Director of State Finance, for approval prior to inclusion in~~
13 ~~this procedure, detailed listings of the type of payments to be made~~
14 ~~for each of these programs. The State Department of Rehabilitation~~
15 ~~Services shall provide the Director of State Finance a daily report~~
16 ~~of the dollar amount of claims settled and checks or warrants~~
17 ~~written, the dollar amount of checks or warrants canceled, and the~~
18 ~~dollar amount of checks or warrants canceled by statutes.~~

19 ~~D. The Oklahoma State Regents for Higher Education and the~~
20 ~~Director of State Finance shall jointly establish a system for the~~
21 ~~settlement of claims, except for payroll, by entities of The~~
22 ~~Oklahoma State System of Higher Education. The settlement system~~
23 ~~shall include policy, procedures, and performance criteria for~~
24 ~~participation. The State Regents are authorized to approve or~~

1 ~~disapprove the participation of any institution or other entity of~~
2 ~~the State System in the claims settlement system.~~

3 E. 1. The Director of the Office of State Finance shall be
4 authorized to establish necessary agency disbursing funds to
5 efficiently accommodate the cash flow requirements of applicable
6 federal regulations, bond indebtedness and other directives deemed
7 appropriate by the Director ~~of State Finance.~~

8 2. Agencies operating such disbursing funds are authorized to
9 establish a preaudit and settlement system for claims or payments or
10 both relating to the purposes of the stated directives.

11 3. The State Treasurer shall establish procedures for the state
12 in accordance with Federal Banking and National Automated Clearing
13 House Association standards and agencies shall be required to
14 utilize automated clearing house procedures established by the State
15 Treasurer ~~provided that no.~~

16 4. No individual or entity shall be required to have a bank
17 account unless required by federal law or federal regulation.

18 5. Agencies shall be further required to present these
19 transactions to the Office of State Finance in a summarized format
20 and shall include any accounting information necessary as determined
21 by the Director of the Office of State Finance including, but not
22 limited to, information related to ~~Public Law 101 453 the Cash~~
23 ~~Management Improvement Act, 31 U.S.C., Sections 3335, 6501 and 6503~~
24 federal law.

1 6. Administrative expenditures shall not be eligible for these
2 procedures.

3 7. The efficiency of the payment system shall be considered
4 when the interest earnings of the state are not diminished.

5 F. The Director of the Office of State Finance shall be
6 authorized to process payments for federal tax withholding without
7 claim forms. The Director ~~of State Finance~~ shall establish a
8 separate fund for the purpose of accumulating federal income tax
9 withholding from payrolls and remitting same to the United States
10 Treasury.

11 G. ~~The Department of Education and the Oklahoma Department of~~
12 ~~Career and Technology Education are authorized to establish a~~
13 ~~preaudit and settlement system for claims and/or payments of state~~
14 ~~funded assistance to school districts and institutions within The~~
15 ~~Oklahoma State System of Higher Education. The payment system shall~~
16 ~~be neutral as to interest income to the state and the school~~
17 ~~districts.~~

18 H. 1. The Director of the Office of State Finance shall be
19 authorized to process, without claim forms, interest payments to the
20 U.S. Treasury as required by ~~Public Law 101 453, the Cash Management~~
21 ~~Improvement Act, 31 U.S.C., Sections 3335, 6501 and 6503~~ federal
22 law.

23 2. Agencies are responsible for the accrual of such interest
24 liability of the state and shall provide payment to the Office of

1 State Finance in the amount and method prescribed by the Director of
2 the Office of State Finance.

3 3. Any liability of the U.S. Treasury as determined by ~~Public~~
4 ~~Law 101 453, the Cash Management Improvement Act, 31 U.S.C.,~~
5 ~~Sections 3335, 6501 and 6503~~ federal law shall be deposited in the
6 State Treasury and transferred by the Director of the Office of
7 State Finance to the General Revenue Fund of the state subsequent to
8 final determination and necessary audit resolution.

9 ~~I. The State Treasurer shall write checks or warrants in~~
10 ~~payment of claims and payrolls certified to the State Treasurer for~~
11 ~~payment by the Division of Central Accounting and Reporting or the~~
12 ~~Department of Human Services or institutions within The Oklahoma~~
13 ~~State System of Higher Education. The State Treasurer, within such~~
14 ~~limitations as the State Treasurer may prescribe, may authorize the~~
15 ~~Director of State Finance, the Department of Human Services, or an~~
16 ~~institution within The Oklahoma State System of Higher Education to~~
17 ~~write the checks or warrants for payment of claims and payrolls that~~
18 ~~have been certified by the respective agency. The Director of State~~
19 ~~Finance, the Department of Human Services, and The Oklahoma State~~
20 ~~System of Higher Education institutions shall provide the State~~
21 ~~Treasurer a register of each payment for each check or warrant~~
22 ~~written. Provided, in lieu of checks or warrants:~~

23

24

1 ~~1. The Director of State Finance may, with the concurrence of~~
2 ~~the State Treasurer, establish a procedure to effect the settlement~~
3 ~~of interagency claims by transfer entry, and~~

4 ~~2. At the discretion of the State Treasurer, payment of claims~~
5 ~~and payrolls may be made by the electronic transfer of funds.~~

6 ~~Such optional settlement modes may be implemented when the~~
7 ~~authorized officer or officers of the state are satisfied such modes~~
8 ~~will substantially operate to the benefit of the state and without~~
9 ~~sacrifice to the security and integrity of the monies and records of~~
10 ~~the state.~~

11 ~~J. The Director of State Finance is authorized to use a numeric~~
12 ~~or alphanumeric designation to cross reference claims or payrolls to~~
13 ~~check warrant numbers, transfer entry or optional settlement mode~~
14 ~~used in the payment thereof.~~

15 ~~K. The Department of Human Services and the Director of State~~
16 ~~Finance shall jointly establish a system for the settlement of~~
17 ~~claims, except for payroll, by the Department of Human Services.~~
18 ~~The settlement system shall include policy, procedures and~~
19 ~~performance criteria for participation.~~

20 ~~L. The Department of Transportation may establish a preaudit~~
21 ~~and settlement system for claims and payments of state-funded~~
22 ~~contractor estimates and right of way payments. Provided, however,~~
23 ~~that nothing herein shall modify or alter condemnation proceedings~~
24 ~~as provided by law.~~

1 SECTION 42. AMENDATORY 74 O.S. 2001, Section 86.1, is
2 amended to read as follows:

3 Section 86.1 A. To facilitate the payment of vendor invoices
4 and contract estimates, ~~the State Budget Director of the Office of~~
5 State Finance shall ~~design~~ prescribe a uniform ~~jacket~~ document to be
6 used by all ~~departments, institutions and agencies of the state,~~
7 ~~whereon.~~ The document shall ~~be provided~~ provide summarized
8 information relative to the ~~enclosed~~ referenced invoices or contract
9 estimates, together with a space for the approval of the head of the
10 ~~department, institution or agency~~ approving said vendor invoices or
11 contract estimates for payment.

12 B. Vendor invoices and contract estimates shall be accepted by
13 the state in lieu of the claim form previously required in the same
14 manner as commercial invoices are paid.

15 C. Vendor invoices and contract estimates shall be filed with
16 the ~~department, institution or agency~~ receiving the merchandise or
17 services in the same manner as invoices are filed with commercial
18 firms.

19 D. Upon receipt of invoices or contract estimates, ~~the head of~~
20 ~~the department, institution or agency, or his~~ the agency's
21 authorized agent, may approve said documents for payment ~~by~~
22 ~~executing a certificate~~ as confirmation of delivery or acceptance of
23 the goods or services. Whereupon, ~~the authorized official of said~~
24 ~~agency may approve said~~ approved invoices or contract estimates ~~for~~

1 ~~payment by enclosing the invoice or contract estimate in a jacket~~
2 shall be attached to the document provided for such purpose and
3 ~~affixing his~~ the head of the agency approving such invoices of
4 contract estimates for payment shall affix the approval in the space
5 provided on the jacket document. ~~The provisions of this section~~
6 ~~shall become effective July 1, 1949, and thereafter commercial~~

7 E. Commercial invoices shall be accepted in lieu of the
8 standard notarized claim prescribed by the state.

9 SECTION 43. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 34.66 of Title 62, unless there
11 is created a duplication in numbering, reads as follows:

12 A. The State Treasurer shall write checks or warrants in
13 payment of claims and payrolls certified to the State Treasurer for
14 payment by the Division of Central Accounting and Reporting or:

- 15 1. The Department of Human Services;
- 16 2. The Department of Rehabilitative Services;
- 17 3. The State Department of Health;
- 18 4. The Department of Transportation;
- 19 5. The State Department of Education;
- 20 6. The Oklahoma Department of Career and Technology Education;

21 and

- 22 7. The institutions within The Oklahoma State System of Higher
23 Education.

24

1 B. The State Treasurer, within such limitations as the State
2 Treasurer may prescribe, may authorize the Director of the Office of
3 State Finance and the entities specified in subsection A of this
4 section to issue the checks or warrants for payment of claims and
5 payrolls that have been certified by the respective agency.

6 C. The Director of the Office of State Finance and the entities
7 specified in subsection A of this section shall provide the State
8 Treasurer a register of each payment for each check or warrant
9 issued.

10 D. In lieu of checks or warrants:

11 1. The Director of the Office of State Finance may, with the
12 concurrence of the State Treasurer, settle interagency claims by
13 transfer entry; and

14 2. At the discretion of the State Treasurer, pay claims and
15 payrolls by the electronic transfer of funds.

16 SECTION 44. AMENDATORY 62 O.S. 2001, Section 41.17, is
17 amended to read as follows:

18 Section 41.17 A. ~~The State Budget~~ Director of the Office of
19 State Finance is hereby authorized to ~~revise and~~ prescribe the blank
20 ~~claim forms and~~ electronic systems to process claims and payroll
21 ~~forms~~ to be used by the various agencies of the state. Any agency
22 of the state may file a claim against more than one item of the
23 current ~~appropriation~~ allotments within ~~the same fund~~ funds by
24 indicating on the claim or payroll ~~in the space provided,~~ the

1 ~~allotment~~ account, or accounts to be charged ~~and the State Budget.~~
2 The Director shall approve and charge the same such claim to the
3 account, or accounts, indicated after proper audit ~~and approval of~~
4 the claim or payroll. ~~Payroll forms~~

5 B. These payroll systems are hereby authorized for use in
6 claiming amounts due individually to all employees within a
7 ~~department, board, commission, institution or~~ an agency of the state
8 ~~when the bonded executive head or bonded employee of such spending~~
9 ~~agency certifies on the payroll form that the amount shown after~~
10 ~~each named employee is the amount due for the period of time shown~~
11 ~~on the payroll form.~~ Each payroll ~~form~~ record shall show in
12 ~~separate columns~~ the total earnings, the amount of each type of
13 withholding and the net amount due each employee. Withholdings may
14 be reserved by the ~~Budget~~ Director of the Office of State Finance to
15 be paid to the proper ~~governmental agency~~ entity by ~~subsequent~~ lump
16 sum payments.

17 SECTION 45. AMENDATORY 62 O.S. 2001, Section 41.26, is
18 amended to read as follows:

19 Section 41.26 ~~Individual claims and/or payrolls listing amounts~~
20 ~~claimed by more than one person which are used as the basis for the~~
21 ~~payment of money from the State Treasury from any fund shall be~~
22 ~~approved only by the elected or appointed head of any state~~
23 ~~department, board, commission, institution or agency, or their~~
24 ~~designated administrative employees. Provided, the~~

1 A. The elected or appointed executives of any state agency or
2 their designated administrative employees shall approve individual
3 claims of the agency which are used as the basis for the payment of
4 money from the State Treasury from any fund. These individuals
5 shall be known as the "agency approving officers".

6 B. Payrolls shall show the amount to be paid to each named
7 person for the period of time shown.

8 C. The number of persons authorized to make such approval shall
9 not exceed ~~two~~ five people for any one state ~~department, board,~~
10 ~~commission, institution or~~ agency without the special approval of
11 the Director of the Office of State Finance, ~~and in no case shall~~
12 ~~the number of such persons exceed five.~~

13 D. All ~~officials and employees authorized to approve claims or~~
14 ~~payrolls, if not already under bond for such purpose, agency~~
15 approving officers shall execute a bond issued by a surety company
16 licensed to do business in this state, payable to the state in the
17 amount required by the Director of the Office of State Finance but
18 ~~not to exceed Twenty five Thousand Dollars (\$25,000.00), unless~~
19 ~~otherwise provided by law, less than Fifty Thousand Dollars~~
20 (\$50,000.00) and conditioned for the faithful performance of their
21 duties, ~~with some surety company authorized to do business in this~~
22 ~~state, as surety, which ~~bond~~ shall be approved by the Director of~~
23 the Office of State Finance and filed in the office of the Secretary
24 of State.

1 E. After state claims and/or payrolls have been approved by the
2 above ~~officials and employees~~ agency approving officers, they shall
3 be filed with the Director of the Office of State Finance for
4 auditing and settlement.

5 SECTION 46. AMENDATORY 62 O.S. 2001, Section 7.6, is
6 amended to read as follows:

7 Section 7.6 There is hereby created in the State Treasury a
8 Payroll Fund which shall be used by the Director of the Office of
9 State Finance and the State Treasurer to issue a consolidated
10 payroll for each ~~state department, board, commission, institution or~~
11 agency of the state. Payrolls of state agencies shall be charged
12 against the Payroll Fund created herein. Each state agency shall
13 prepare summary distributions of the amounts of payrolls to be
14 charged against each fund within the State Treasury and the Director
15 ~~of State Finance~~ shall transfer monies from each fund in the State
16 Treasury to the Payroll Fund amounts as shown on payroll
17 distribution summaries, and shall charge such amounts to the
18 ~~appropriation allotment~~ account affected thereby.

19 SECTION 47. AMENDATORY 62 O.S. 2001, Section 7.10, as
20 last amended by Section 1, Chapter 392, O.S.L. 2008 (62 O.S. Supp.
21 2008, Section 7.10), is amended to read as follows:

22 Section 7.10 A. 1. Upon the request of a state employee, a
23 state agency, ~~board, or commission~~ shall make voluntary payroll
24

1 deductions for the employee to any credit union, bank, or savings
2 association having an office in this state.

3 2. If the governing body of any county, municipality, or school
4 district provides for voluntary payroll deductions to a credit union
5 serving the employees of the county, municipality, or school
6 district, it shall provide voluntary payroll deductions to any
7 credit union, bank, or savings association having an office in this
8 state which has a minimum participation of twenty percent (20%) of
9 the employees of the county, municipality, or school district.

10 B. Upon the request of a state employee and pursuant to
11 procedures established by the Administrator of the Office of
12 Personnel Management, a state agency, ~~board, or commission~~ shall
13 make payroll deductions for:

14 1. The payment of any insurance premiums due a private
15 insurance organization with a minimum participation of five hundred
16 (500) state employees for life, accident, and health insurance which
17 is supplemental to that provided for by the state;

18 2. The payment of any insurance premiums due a private
19 insurance organization or service company which is regulated by the
20 State Insurance Commissioner and with a minimum participation of
21 five hundred (500) state employees for legal services;

22 3. Premiums or payments for retirement plans with a minimum
23 participation of five hundred (500) state employees for retirement
24 plans which are supplemental to that provided for by the state;

1 4. Salary adjustment agreements included in a flexible benefits
2 plan as authorized by the State Employees Flexible Benefits Act;

3 5. Membership dues utilized for benefits, goods or services
4 provided by the Oklahoma Public Employees Association to the
5 organization's membership or any other statewide association limited
6 to state employee membership with a minimum membership of two
7 thousand (2,000) dues-paying members. For purposes of this
8 paragraph, state agencies shall accept online or electronically
9 submitted forms from the Oklahoma Public Employees Association and
10 other state employee associations. The Office of Personnel
11 Management shall develop and implement a verification process for
12 online or electronically submitted forms which may include the use
13 of electronic signature technology or other process as determined
14 appropriate;

15 6. Contributions to ~~its~~ any foundation organized pursuant to 26
16 U.S.C., Section 501(c)(3) ~~in~~ of the Oklahoma Public Employees
17 Association or any other statewide association limited to state
18 employee membership with a minimum membership of one thousand
19 (1,000) dues-paying members;

20 7. Payments to a college savings account administered under the
21 Oklahoma College Savings Plan Act pursuant to Section 3970.1 et seq.
22 of Title 70 of the Oklahoma Statutes; and
23
24

1 8. Subscriptions to the Oklahoma Today magazine published by
2 the State of Oklahoma through the Oklahoma Tourism and Recreation
3 Department.

4 C. The administrative costs of processing payroll deductions or
5 administering salary adjustment agreements for insurance premiums as
6 provided for in subsection B of this section shall be a charge of
7 two percent (2%) of the gross annual premiums for insurance plans.
8 The administrative costs of processing payroll deductions or
9 administering salary adjustment agreements for payments for
10 retirement plans as provided for in subsection B of this section
11 shall be one percent (1%) of the gross annual payments for
12 retirement plans. These charges shall be collected monthly from the
13 private insurance or retirement plan organization by the Office of
14 Personnel Management and shall be deposited to the credit of the
15 General Revenue Fund. Provided that these costs shall not be
16 collected from state employees or state agencies unless otherwise
17 directed in ~~Section 1 et seq. of this title~~ the Oklahoma State
18 Finance Act.

19 D. Any statewide association granted a payroll deduction prior
20 to January 1, 2008, shall be exempt from the minimum state employee
21 membership requirement.

22 E. Approval of a payroll deduction or salary adjustment
23 agreement for any insurance organization, line of coverage or policy
24 shall not be construed as an assumption of liability, for the term

1 of policy or the performance of the insurance organization, by this
2 state, or any of its agencies, ~~boards, commissions, institutions~~ or
3 any officer or employee thereof. Contracts for such insurance shall
4 be in all respects subject to the insurance laws of this state, and
5 shall be enforceable solely pursuant to such laws.

6 F. The Oklahoma Employment Security Commission is authorized to
7 deduct from the wages or salary of its employees the employees'
8 contribution to the Oklahoma Employment Security Commission
9 Retirement Plan.

10 G. Payroll deductions shall be made for premium payments for
11 group insurance for retired members or beneficiaries of any state-
12 supported retirement system upon proper authorization given by the
13 member or beneficiary to the board from which the member or
14 beneficiary is currently receiving retirement benefits.

15 H. Upon request of instructional personnel employed at either
16 the Oklahoma School for the Blind or the Oklahoma School for the
17 Deaf and pursuant to procedures established by the Administrator of
18 the Office of Personnel Management, the Commission for
19 Rehabilitation Services shall make payroll deductions for membership
20 dues in any statewide educational employee organization or
21 association.

22 I. Upon the request of a state employee of the Department of
23 Corrections, the Department shall make voluntary payroll deductions
24 for the employee to the Correctional Peace Officer Foundation.

1 SECTION 48. AMENDATORY 62 O.S. 2001, Section 41.4a, is
2 amended to read as follows:

3 Section 41.4a ~~By November 1, 1983, the~~ The Director of the
4 Office of State Finance shall establish a procedure to ~~expedite~~
5 issue payment for of a proper invoice for goods or services ~~not~~
6 ~~later~~ within no less than forty-five (45) days from the date on
7 which the invoice ~~is~~ was received in the ~~appropriate~~ office
8 designated by the agency to which the goods or services were sold
9 and delivered.

10 SECTION 49. AMENDATORY 62 O.S. 2001, Section 41.4b, is
11 amended to read as follows:

12 Section 41.4b The Director of the Office of State Finance shall
13 ~~also~~ establish a procedure ~~whereby interest shall be paid from to~~
14 assess and pay interest for the late payment of an invoice, which
15 interest shall be calculated beginning the thirtieth day after
16 receipt by the designated office of a proper invoice for which
17 payment has not been mailed, transmitted, or delivered to a vendor
18 by the close of business on the forty-fifth day. Such interest
19 shall be at an annualized rate ~~as reported by the State Treasurer~~
20 based on an average of the interest rate for thirty-day time
21 deposits of state funds during the last calendar quarter of the last
22 preceding fiscal year, as reported by the State Treasurer.

23 SECTION 50. AMENDATORY 62 O.S. 2001, Section 41.4c, is
24 amended to read as follows:

1 Section 41.4c ~~For the purposes described in this joint~~
2 ~~resolution, a~~ A "proper invoice" means one which is complete in all
3 requirements necessary for processing it for payment in accordance
4 with the terms of appropriate contracts and applicable state or
5 federal statutes, ~~including but not limited to such documentation as~~
6 ~~may be required.~~

7 SECTION 51. AMENDATORY 62 O.S. 2001, Section 41.4d, is
8 amended to read as follows:

9 Section 41.4d Any vendor of goods or services purchased by or
10 delivered to an agency of the state ~~who is aggrieved by delay in~~
11 ~~payment~~ whose payment is delayed beyond the forty-five-day limit
12 ~~and/or~~ who has not been compensated by payment of interest as
13 provided for in ~~this joint resolution~~ the Oklahoma State Finance Act
14 may file ~~such a~~ a grievance with the Office of the Governor, ~~by whom~~
15 ~~it shall be transmitted~~ who shall transmit it to the Director of the
16 Office of State Finance. Upon receipt of such grievance, the
17 Director ~~of State Finance~~ shall ~~act~~ pay the total amount of such
18 invoice with interest as required, within fifteen (15) days, to
19 remedy such grievance ~~by payment with interest as provided for in~~
20 ~~this joint resolution, or.~~ If the Director determines that the
21 invoice or interest should not be paid, such determination and the
22 reasons therefor shall ~~report~~ be reported to the Governor and the
23 aggrieved vendor ~~why such payment may not be paid.~~

24

1 SECTION 52. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34.75 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Department of Human Services may establish an
5 encumbrance and preaudit system for settlement of claims relating to
6 public assistance, social service benefits and medical benefits to
7 or for persons eligible under applicable federal laws and rules,
8 Oklahoma Statutes, and policies established by the Oklahoma
9 Commission for Human Services. The following programs shall be
10 eligible for this procedure:

- 11 1. Aid to Families with Dependent Children;
- 12 2. Aid to Aged, Blind and Disabled;
- 13 3. Medical Assistance;
- 14 4. Day Care;
- 15 5. Refugee Resettlement;
- 16 6. Low Income Heating and Energy Assistance;
- 17 7. General Assistance;
- 18 8. Crippled Children;
- 19 9. Social Services under Title XX of the U.S. Social Security
20 Act, 42 U.S.C., Section 301 et seq.;
- 21 10. Adoption Subsidies;
- 22 11. Foster Care;
- 23 12. Medical Examination;
- 24 13. Area Agencies on Aging;

1 14. Any contract for service for which the Department of
2 Central Services has approved as qualifying for a fixed and uniform
3 rate pursuant to Section 85.7 of Title 74 of the Oklahoma Statutes;

4 15. Sheltered Workshops;

5 16. Contracted Group Homes;

6 17. Rehabilitative Client Interpreters;

7 18. Rehabilitative Client Drivers; and

8 19. Maternal and Child Health Services Block Grant.

9 B. Prior to inclusion in this procedure, the Department of
10 Human Services shall provide to the Director of the Office of State
11 Finance, for approval, detailed listings of the type of payments to
12 be made for each of these programs specified in subsection A of this
13 section.

14 C. The Department of Human Services shall provide the Director
15 of the Office of State Finance a daily report of the dollar amount
16 of claims settled and checks or warrants issued, the dollar amount
17 of checks or warrants canceled, and the dollar amount of checks or
18 warrants canceled by statutes.

19 D. The Department of Human Services and the Director of the
20 Office of State Finance shall jointly establish a system for the
21 settlement of claims, except for payroll, by the Department of Human
22 Services. The settlement system shall include policy, procedures
23 and performance criteria for participation.

1 SECTION 53. AMENDATORY 62 O.S. 2001, Section 41.16a, is
2 amended to read as follows:

3 Section 41.16a A. The State Department of Health is authorized
4 to enter into contracts with third party administrators to establish
5 a system for processing claims for payment pursuant to the United
6 States Department of Agriculture Women, Infants and Children
7 Supplemental Nutrition Program.

8 B. The State Board of Health shall promulgate rules and develop
9 procedures necessary for implementation and administration of the
10 system. ~~The State Department of Health shall implement the system
11 by January 1, 1993.~~

12 C. The State Board of Health is authorized to develop
13 procedures that allow for the payment of gross vouchers received by
14 a third party administrator adjusted by returned items or any other
15 disallowances.

16 D. The State Department of Health is authorized to transfer
17 ~~funds from~~ any available federal or revolving ~~or federal~~ funds
18 ~~available~~ to their WIC Disbursing Fund as needed for the purpose of
19 providing cash flow until federal funds are received. Any such
20 funds transferred into the WIC Disbursing Fund shall be transferred
21 back to the original fund source before the end of the fiscal year
22 in which the transfer was made.

23
24

1 SECTION 54. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34.77 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The State Department of Rehabilitation Services is
5 authorized to establish an encumbrance and preaudit system for
6 settlement of claims relating to social service benefits and medical
7 benefits to or for persons eligible under applicable federal laws
8 and regulations, Oklahoma Statutes, and policies established by the
9 Commission for Rehabilitation Services for the following programs:

- 10 1. Vocational and other rehabilitation;
- 11 2. Educational services;
- 12 3. Disability Determination Services; and
- 13 4. Visual Services.

14 B. Prior to inclusion in this procedure, the State Department
15 of Rehabilitation Services shall provide to the Director of the
16 Office of State Finance, for approval, detailed listings of the type
17 of payments to be made for each of these programs specified in
18 subsection A of this section.

19 C. The State Department of Rehabilitation Services shall
20 provide the Director of the Office of State Finance a daily report
21 of the dollar amount of claims settled and checks or warrants
22 issued, the dollar amount of checks or warrants canceled, and the
23 dollar amount of checks or warrants canceled by statutes.

24

1 SECTION 55. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34.78 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Oklahoma State Regents for Higher Education and the
5 Director of the Office of State Finance shall jointly establish a
6 system for the settlement of claims, except for payroll, by
7 institutions of The Oklahoma State System of Higher Education. The
8 settlement system shall include policy, procedures, and performance
9 criteria for participation. The State Regents may approve or
10 disapprove the participation of any institution or other entity of
11 the State System in the claims settlement system.

12 B. The Department of Education and the Oklahoma Department of
13 Career and Technology Education may establish a preaudit and
14 settlement system for claims and/or payments of state-funded
15 assistance to school districts and institutions within The Oklahoma
16 State System of Higher Education. The payment system shall be
17 neutral as to interest income to the state and the school districts.

18 SECTION 56. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 34.79 of Title 62, unless there
20 is created a duplication in numbering, reads as follows:

21 A. The Department of Transportation may establish a preaudit
22 and settlement system for claims and payments of state-funded
23 contractor estimates and right-of-way payments.

24

1 B. Nothing in this section shall modify or alter condemnation
2 proceedings as provided by law.

3 SECTION 57. AMENDATORY 62 O.S. 2001, Section 41.19, is
4 amended to read as follows:

5 Section 41.19 A. ~~All bonds and interest coupons redeemed by
6 the State Treasurer and a duplicate of each and every receipt issued
7 for monies received into the State Treasury, shall be delivered
8 immediately to, and receipted for, by the Director of State Finance
9 who shall maintain such documents as a permanent record of his or
10 her office. It shall be the duty of the Director of State Finance
11 to audit such redeemed documents and to apportion and distribute the
12 collections as indicated by the State Treasury receipts to the
13 respective funds and account to which the same shall have accrued,
14 or may belong. All warrants and checks redeemed by the State
15 Treasurer shall be maintained by the State Treasurer in accordance
16 with the provisions of Sections 305 through 317 of Title 67 of the
17 Oklahoma Statutes. In the event that nonpayable warrants are issued
18 pursuant to the provisions of Section 23 of Article X of the
19 Constitution of the State of Oklahoma, it shall be the duty of the
20 Director of State Finance to issue and publish the official call for
21 payment for any warrants that may be outstanding and registered as
22 "nonpayable". Notice of such call shall be published in some
23 newspaper of general circulation, published at the seat of
24 government, and interest on all warrants so called for payment shall~~

1 ~~cease on or after ten (10) days from the date of the first~~
2 ~~publication of such notice. The Director of State Finance shall be~~
3 ~~responsible for the custody of claims certified for payment which~~
4 ~~call for the disbursement of money from the Treasury. Such claims~~
5 ~~shall be maintained in files accessible to the Division of Central~~
6 ~~Accounting and Reporting and the employees of the Division of~~
7 ~~Central Accounting and Reporting shall have authority to inspect~~
8 ~~such claims for the purpose of making accounting adjustments on the~~
9 ~~records maintained by the Director of State Finance.~~

10 B. All warrants, checks or orders issued by the State Treasurer
11 against claims submitted through the ~~Director~~ Office of State
12 Finance in payment of obligations of the state which shall for any
13 cause remain outstanding or unpaid for a period of ninety (90) days
14 after funds are available for their payment shall be revoked and
15 canceled.

16 ~~The Director of State Finance shall forthwith make proper entry~~
17 ~~thereof on B. Such warrants, checks or orders shall be entered into~~
18 ~~the records of his or her office~~ the Office of State Finance and
19 ~~shall notify both the State Treasurer and the administrative head of~~
20 ~~the agency certifying the claim for payment of the fact of such~~
21 ~~entry of cancellation. Thereafter, no such warrants shall be paid~~
22 ~~except that the holder of any warrant that may be canceled pursuant~~
23 ~~to the provisions of this section, may, within thirty six (36)~~
24 ~~months following the month in which the warrant was canceled,~~

1 ~~present the warrant or an affidavit of loss or destruction, and a~~
2 ~~request for reissue to the Director of State Finance who shall on~~
3 ~~the third Monday of each month certify a claim for payment of those~~
4 ~~verified unpaid requests presented during months past~~ shall be
5 notified that such items have been canceled.

6 C. If, for any reason, a warrant should not be issued to
7 replace a warrant canceled pursuant to the provisions of this
8 section, the administrative head of the agency originally certifying
9 the claim for payment shall, within seven (7) days after
10 notification of the cancellation, advise the Director of the Office
11 of State Finance that a reissue should not be made. ~~Warrants~~

12 D. Notwithstanding the provisions of subsection B of this
13 section, warrants issued or caused to be issued by the Department of
14 Human Services for public assistance or medical assistance may be
15 reissued at any time within three (3) years after cancellation upon
16 submission of the canceled warrants to the Department, ~~provided the~~
17 ~~three-year limitation shall not apply to warrants issued prior to~~
18 ~~May 1, 1992.~~

19 ~~C.~~ E. No canceled warrants shall be paid, except that the
20 holder of any warrant that may have been canceled pursuant to the
21 provisions of this section may, within thirty-six (36) months
22 following the month in which the warrant was canceled, present the
23 warrant or an affidavit of loss or destruction, and a request for
24 reissuance to the Director of the Office of State Finance.

1 F. The Director of the Office of State Finance shall certify a
2 claim as needed for payment of those verified unpaid requests
3 presented, unless the certifying agency has advised that a
4 reissuance should not be made.

5 G. 1. There is hereby created in the State Treasury a fund to
6 be known as the Canceled Warrant Fund.

7 2. The Director of the Office of State Finance shall transfer
8 to the Canceled Warrant Fund the total of the payable amounts of the
9 warrants canceled pursuant to the provisions of this section from
10 the funds and accounts against which the canceled warrants had been
11 drawn, ~~and~~.

12 3. The Office of State Finance shall disburse from the fund
13 such amounts as necessary to pay warrants reissued as provided in
14 this section. ~~The expenditure~~

15 4. These expenditures shall ~~be~~ remain recorded in the ~~fund~~
16 funds and ~~account~~ accounts against which the original canceled
17 ~~warrant was~~ warrants were issued and ~~disbursements from the Canceled~~
18 ~~Warrant Fund~~ they shall not be considered expenses of the state nor
19 shall receipts to the fund be considered revenue to the state.

20 ~~Claims~~

21 5. Any such claim drawn against the Canceled Warrant Fund shall
22 identify the current holder of record and the warrant number of the
23 canceled warrant, which shall be provided on the warrant record.

1 ~~D.~~ H. The Director of the Office of State Finance shall
2 determine the minimum necessary balance to be maintained in the
3 Canceled Warrant Fund and on the third Monday of October shall
4 transfer the amount in excess of the required minimum balance to the
5 General Revenue Fund of the current year. The minimum balance
6 retained shall be not less than the total amount of the warrants
7 canceled by statute within the past thirty-six (36) months preceding
8 October 1 of each year and which remain eligible for replacement
9 according to the records of the Office of State Finance.

10 SECTION 58. AMENDATORY 74 O.S. 2001, Section 34, is
11 amended to read as follows:

12 Section 34. A. The State Treasurer is hereby authorized and
13 empowered to issue a replacement warrant or bond in lieu of any
14 warrant or bond that has been lost or destroyed; provided, that no
15 replacement warrant or bond shall be issued until an affidavit
16 setting forth the facts as to the loss or destruction of said
17 original warrant or bond has been filed with the ~~State Treasurer~~
18 Director of the Office of State Finance.

19 B. The Director ~~of State Finance~~ and the State Treasurer shall
20 ~~make such~~ maintain appropriate records in their ~~respective~~ offices
21 ~~as will to prevent,~~ as nearly as reasonably possible, ~~preclude any~~
22 ~~loss being sustained by the state on account of the issue of~~ from
23 mistakenly issuing any replacement warrant or bond.

24

1 C. Such ~~entries~~ records shall include a stop payment order
2 against the original warrant ~~which will, as nearly as possible, to~~
3 ~~cancel said~~ the original warrant. ~~The~~

4 D. For such lost or destroyed miscellaneous warrants, the
5 Director of the Office of State Finance shall cancel the original
6 warrant record and process a replacement warrant against the
7 original disbursement claim when possible, or otherwise shall
8 transfer to the Canceled Warrant Fund the payable amount of lost or
9 destroyed warrants on which payment has been stopped pursuant to the
10 provisions of this section from the fund and account against which
11 said warrant had been drawn. ~~Warrants issued to replace lost or~~
12 ~~destroyed warrants pursuant to the provisions of this section shall~~
13 ~~be drawn against~~ and issue a replacement from the Canceled Warrant
14 Fund.

15 E. For lost or destroyed payroll warrants, the Director of the
16 Office of State Finance shall issue all payroll replacement warrants
17 pursuant to the provisions of this section from the Canceled Warrant
18 Fund. The Director shall allow the original payroll warrant record
19 to cancel by statute and shall transfer to the Canceled Warrant Fund
20 the payable amount to cover the lost or destroyed warrants on which
21 payment has been stopped pursuant to the provisions of this section
22 from the fund and account against which the warrant had been drawn.

23
24

1 SECTION 59. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34.82 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Disbursement information for all bonds and interest coupons
5 redeemed by the State Treasurer shall be delivered to the Director
6 of the Office of State Finance for posting. Deposit information for
7 each and every receipt issued for monies received into the State
8 Treasury shall be receipted for by the Office of State Finance.

9 B. Such information shall be maintained as a permanent record
10 in the Office of State Finance.

11 C. The Office of State Finance shall audit such redeemed
12 information and apportion and distribute the collections as
13 indicated by the State Treasury receipts.

14 D. All warrants and checks redeemed by the State Treasurer
15 shall be maintained by the State Treasurer in accordance with state
16 law.

17 SECTION 60. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 34.83 of Title 62, unless there
19 is created a duplication in numbering, reads as follows:

20 A. If nonpayable warrants are issued pursuant to the provisions
21 of Section 23 of Article X of the Oklahoma Constitution, the
22 Director of the Office of State Finance shall issue and publish the
23 official call for payment for any warrants that may be outstanding
24 and registered as "nonpayable".

1 B. Notice of such call shall be published in some newspaper of
2 general circulation, published at the seat of government, and
3 interest on all warrants so called for payment shall cease on or
4 after ten (10) days from the date of the first publication of such
5 notice.

6 C. The Director of the Office of State Finance shall be
7 responsible for the custody of claims certified for payment which
8 call for the disbursement of money from the Treasury.

9 D. Such claims shall be maintained in files accessible to the
10 Division of Central Accounting and Reporting and the employees of
11 the Division of Central Accounting and Reporting shall have
12 authority to inspect such claims for the purpose of making
13 accounting adjustments in the records maintained by the Office of
14 State Finance.

15 SECTION 61. AMENDATORY 62 O.S. 2001, Section 41.27, is
16 amended to read as follows:

17 Section 41.27 A. The Governor ~~may, in his~~ shall have
18 discretion, to issue a deficiency certificate or certificates, for
19 the benefit of any ~~department, institution, or~~ agency of the state,
20 if the amount of such deficiency certificate, or certificates, ~~be~~ is
21 within the limit of the current appropriation for that ~~department,~~
22 ~~institution, or agency, whereupon the~~

23
24

1 B. The State Treasurer shall issue warrants to the extent of
2 such certificate or certificates for the payment of such claims as
3 may be authorized by the Governor, ~~and such.~~

4 C. Such warrants shall become a part of the public debt and
5 shall be paid out of any money appropriated by the Legislature and
6 made lawfully available therefor; ~~provided further, that in.~~

7 D. In no event shall said deficiency certificate, or
8 certificates, exceed in the aggregate the sum of Five Hundred
9 Thousand Dollars (\$500,000.00), in any fiscal year.

10 SECTION 62. AMENDATORY 62 O.S. 2001, Section 41.29e, as
11 last amended by Section 5, Chapter 355, O.S.L. 2007 (62 O.S. Supp.
12 2008, Section 41.29e), is amended to read as follows:

13 Section 41.29e A. There is hereby created in the State
14 Treasury a revolving fund for the Oklahoma State Regents for Higher
15 Education to be designated the "Oklahoma Student Aid Revolving
16 Fund". The fund shall be a continuing fund, not subject to fiscal
17 year limitations, and shall consist of monies received pursuant to
18 the provisions of subparagraph c of paragraph 2 and subparagraph c
19 of paragraph 3 of Section 1004 of Title 68 of the Oklahoma Statutes
20 and any funds previously deposited in the Oklahoma Tuition
21 Scholarship Fund. All monies accruing to the credit of the fund are
22 hereby appropriated and may be budgeted and expended by the Oklahoma
23 State Regents for Higher Education as authorized by the Oklahoma
24 Legislature. Expenditures from said fund shall be made upon

1 warrants issued by the State Treasurer against claims filed as
2 prescribed by law with the Director of the Office of State Finance
3 for approval and payment.

4 B. Beginning with fiscal year 2003, monies accruing to the
5 credit of the Oklahoma Student Aid Revolving Fund shall be
6 appropriated for and budgeted and expended for providing student aid
7 in the form of state tuition aid grants awarded pursuant to the
8 Higher Education Tuition Aid Act and scholarships awarded pursuant
9 to the Oklahoma State Regents' Academic Scholars Program.

10 SECTION 63. REPEALER 62 O.S. 2001, Sections 41.1 and
11 41.37, are hereby repealed.

12 SECTION 64. RECODIFICATION 62 O.S. 2001, Section 2, as
13 amended by Section 2 of this act, shall be recodified as Section
14 34.1 of Title 62 of the Oklahoma Statutes, unless there is created a
15 duplication in numbering.

16 62 O.S. 2001, Section 41.7b, as amended by Section 3 of this
17 act, shall be recodified as Section 34.2 of Title 62 of the Oklahoma
18 Statutes, unless there is created a duplication in numbering.

19 62 O.S. 2001, Section 41.3, as amended by Section 4 of this act,
20 shall be recodified as Section 34.3 of Title 62 of the Oklahoma
21 Statutes, unless there is created a duplication in numbering.

22 62 O.S. 2001, Section 41.40, as amended by Section 5 of this
23 act, shall be recodified as Section 34.4 of Title 62 of the Oklahoma
24 Statutes, unless there is created a duplication in numbering.

1 62 O.S. 2001, Section 41.2, as amended by Section 6 of this act,
2 shall be recodified as Section 34.5 of Title 62 of the Oklahoma
3 Statutes, unless there is created a duplication in numbering.

4 62 O.S. 2001, Section 41.4, as amended by Section 7 of this act,
5 shall be recodified as Section 34.6 of Title 62 of the Oklahoma
6 Statutes, unless there is created a duplication in numbering.

7 62 O.S. 2001, Section 41.23, as amended by Section 8 of this
8 act, shall be recodified as Section 34.7 of Title 62 of the Oklahoma
9 Statutes, unless there is created a duplication in numbering.

10 62 O.S. 2001, Section 41.42, as amended by Section 9 of this
11 act, shall be recodified as Section 34.8 of Title 62 of the Oklahoma
12 Statutes, unless there is created a duplication in numbering.

13 62 O.S. 2001, Section 7.5, as amended by Section 10 of this act,
14 shall be recodified as Section 34.9 of Title 62 of the Oklahoma
15 Statutes, unless there is created a duplication in numbering.

16 62 O.S. 2001, Section 7.13, as amended by Section 11 of this
17 act, shall be recodified as Section 34.10 of Title 62 of the
18 Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 62 O.S. 2001, Section 41.5, as amended by Section 12 of this
21 act, shall be recodified as Section 34.11 of Title 62 of the
22 Oklahoma Statutes, unless there is created a duplication in
23 numbering.

24

1 62 O.S. 2001, Section 41.5a, as last amended by Section 1,
2 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5a), shall
3 be recodified as Section 34.12 of Title 62 of the Oklahoma Statutes,
4 unless there is created a duplication in numbering.

5 62 O.S. 2001, Section 41.5a-1, as amended by Section 2, Chapter
6 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5a-1), shall be
7 recodified as Section 34.13 of Title 62 of the Oklahoma Statutes,
8 unless there is created a duplication in numbering.

9 Section 5, Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2008, Section
10 41.5a-2), shall be recodified as Section 34.14 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 Section 3, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2008, Section
14 41.5a-3), shall be recodified as Section 34.15 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.5e, as last amended by Section 3,
18 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5e), shall
19 be recodified as Section 34.16 of Title 62 of the Oklahoma Statutes,
20 unless there is created a duplication in numbering.

21 62 O.S. 2001, Section 41.5f, as amended by Section 1, Chapter
22 148, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5f), shall be
23 recodified as Section 34.17 of Title 62 of the Oklahoma Statutes,
24 unless there is created a duplication in numbering.

1 62 O.S. 2001, Section 41.5g, as last amended by Section 13 of
2 this act, shall be recodified as Section 34.18 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.5h, as amended by Section 4, Chapter
6 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5h), shall be
7 recodified as Section 34.19 of Title 62 of the Oklahoma Statutes,
8 unless there is created a duplication in numbering.

9 62 O.S. 2001, Section 41.5i, as last amended by Section 5,
10 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5i), shall
11 be recodified as Section 34.20 of Title 62 of the Oklahoma Statutes,
12 unless there is created a duplication in numbering.

13 62 O.S. 2001, Section 41.5j, as amended by Section 6, Chapter
14 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5j), shall be
15 recodified as Section 34.21 of Title 62 of the Oklahoma Statutes,
16 unless there is created a duplication in numbering.

17 62 O.S. 2001, Section 41.5l, as amended by Section 8, Chapter
18 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5l), shall be
19 recodified as Section 34.22 of Title 62 of the Oklahoma Statutes,
20 unless there is created a duplication in numbering.

21 62 O.S. 2001, Section 41.5m, as amended by Section 9, Chapter
22 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5m), shall be
23 recodified as Section 34.23 of Title 62 of the Oklahoma Statutes,
24 unless there is created a duplication in numbering.

1 62 O.S. 2001, Section 41.5p, as amended by Section 10, Chapter
2 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5p), shall be
3 recodified as Section 34.24 of Title 62 of the Oklahoma Statutes,
4 unless there is created a duplication in numbering.

5 62 O.S. 2001, Section 41.5q, as amended by Section 11, Chapter
6 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5q), shall be
7 recodified as Section 34.25 of Title 62 of the Oklahoma Statutes,
8 unless there is created a duplication in numbering.

9 62 O.S. 2001, Section 41.5r, shall be recodified as Section
10 34.26 of Title 62 of the Oklahoma Statutes, unless there is created
11 a duplication in numbering.

12 62 O.S. 2001, Section 41.5s, as amended by Section 12, Chapter
13 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5s), shall be
14 recodified as Section 34.27 of Title 62 of the Oklahoma Statutes,
15 unless there is created a duplication in numbering.

16 Section 2, Chapter 128, O.S.L. 2004, as amended by Section 3,
17 Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2008, Section 41.5t), shall
18 be recodified as Section 34.28 of Title 62 of the Oklahoma Statutes,
19 unless there is created a duplication in numbering.

20 Section 3, Chapter 128, O.S.L. 2004, as amended by Section 13,
21 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5t.1),
22 shall be recodified as Section 34.29 of Title 62 of the Oklahoma
23 Statutes, unless there is created a duplication in numbering.

24

1 Section 4, Chapter 128, O.S.L. 2004, as last amended by Section
2 1, Chapter 330, O.S.L. 2008 (62 O.S. Supp. 2008, Section 41.5t.2),
3 shall be recodified as Section 34.30 of Title 62 of the Oklahoma
4 Statutes, unless there is created a duplication in numbering.

5 Section 4, Chapter 391, O.S.L. 2005, as amended by Section 1,
6 Chapter 310, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5u), shall
7 be recodified as Section 34.31 of Title 62 of the Oklahoma Statutes,
8 unless there is created a duplication in numbering.

9 Section 15, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008,
10 Section 41.5v), shall be recodified as Section 34.32 of Title 62 of
11 the Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 Section 1, Chapter 205, O.S.L. 2007 (62 O.S. Supp. 2008, Section
14 41.5x), shall be recodified as Section 34.33 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.31, as amended by Section 14 of this
18 act, shall be recodified as Section 34.34 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.30, as amended by Section 15 of this
22 act, shall be recodified as Section 34.35 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 41.29, as last amended by Section 16 of
2 this act, shall be recodified as Section 34.36 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.34, as last amended by Section 17 of
6 this act, shall be recodified as Section 34.37 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.33, as last amended by Section 18 of
10 this act, shall be recodified as Section 34.38 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 9.10, as amended by Section 19 of this
14 act, shall be recodified as Section 34.39 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.11, as amended by Section 20 of this
18 act, shall be recodified as Section 34.40 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.6, as amended by Section 21 of this
22 act, shall be recodified as Section 34.41 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 41.7c, as amended by Section 22 of this
2 act, shall be recodified as Section 34.42 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.41, as amended by Section 23 of this
6 act, shall be recodified as Section 34.43 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.32, as amended by Section 24 of this
10 act, shall be recodified as Section 34.44 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.39, as amended by Section 25 of this
14 act, shall be recodified as Section 34.45 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 9.1, as amended by Section 26 of this act,
18 shall be recodified as Section 34.46 of Title 62 of the Oklahoma
19 Statutes, unless there is created a duplication in numbering.

20 62 O.S. 2001, Section 41.15, as amended by Section 27 of this
21 act, shall be recodified as Section 34.47 of Title 62 of the
22 Oklahoma Statutes, unless there is created a duplication in
23 numbering.

24

1 62 O.S. 2001, Section 41.8, as amended by Section 28 of this
2 act, shall be recodified as Section 34.48 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.9, as amended by Section 29 of this
6 act, shall be recodified as Section 34.49 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.13, as amended by Section 30 of this
10 act, shall be recodified as Section 34.50 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.10, as amended by Section 31 of this
14 act, shall be recodified as Section 34.51 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 62 O.S. 2001, Section 41.46, as amended by Section 32 of this
18 act, shall be recodified as Section 34.52 of Title 62 of the
19 Oklahoma Statutes, unless there is created a duplication in
20 numbering.

21 62 O.S. 2001, Section 41.14, as amended by Section 33 of this
22 act, shall be recodified as Section 34.53 of Title 62 of the
23 Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 62 O.S. 2001, Section 10.1, as amended by Section 34 of this
2 act, shall be recodified as Section 34.54 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 10.3, as amended by Section 35 of this
6 act, shall be recodified as Section 34.55 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 7.2, as last amended by Section 36 of this
10 act, shall be recodified as Section 34.56 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 7.1, as amended by Section 1, Chapter 123,
14 O.S.L. 2008 (62 O.S. Supp. 2008, Section 7.1), shall be recodified
15 as Section 34.57 of Title 62 of the Oklahoma Statutes, unless there
16 is created a duplication in numbering.

17 62 O.S. 2001, Section 7.3, as amended by Section 37 of this act,
18 shall be recodified as Section 34.58 of Title 62 of the Oklahoma
19 Statutes, unless there is created a duplication in numbering.

20 62 O.S. 2001, Section 7.4, shall be recodified as Section 34.59
21 of Title 62 of the Oklahoma Statutes, unless there is created a
22 duplication in numbering.

23

24

1 62 O.S. 2001, Section 7.5a, shall be recodified as Section 34.60
2 of Title 62 of the Oklahoma Statutes, unless there is created a
3 duplication in numbering.

4 62 O.S. 2001, Section 41.13a, as amended by Section 38 of this
5 act, shall be recodified as Section 34.61 of Title 62 of the
6 Oklahoma Statutes, unless there is created a duplication in
7 numbering.

8 62 O.S. 2001, Section 41.16, as amended by Section 39 of this
9 act, shall be recodified as Section 34.62 of Title 62 of the
10 Oklahoma Statutes, unless there is created a duplication in
11 numbering.

12 62 O.S. 2001, Section 41.18, as amended by Section 40 of this
13 act, shall be recodified as Section 34.63 of Title 62 of the
14 Oklahoma Statutes, unless there is created a duplication in
15 numbering.

16 62 O.S. 2001, Section 41.21, as last amended by Section 41 of
17 this act, shall be recodified as Section 34.64 of Title 62 of the
18 Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 74 O.S. 2001, Section 86.1, as amended by Section 42 of this
21 act, shall be recodified as Section 34.65 of Title 62 of the
22 Oklahoma Statutes, unless there is created a duplication in
23 numbering.

24

1 62 O.S. 2001, Section 41.17, as amended by Section 44 of this
2 act, shall be recodified as Section 34.67 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.26, as amended by Section 45 of this
6 act, shall be recodified as Section 34.68 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 7.6, as amended by Section 46 of this act,
10 shall be recodified as Section 34.69 of Title 62 of the Oklahoma
11 Statutes, unless there is created a duplication in numbering.

12 62 O.S. 2001, Section 7.10, as last amended by Section 47 of
13 this act, shall be recodified as Section 34.70 of Title 62 of the
14 Oklahoma Statutes, unless there is created a duplication in
15 numbering.

16 62 O.S. 2001, Section 41.4a, as amended by Section 48 of this
17 act, shall be recodified as Section 34.71 of Title 62 of the
18 Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 62 O.S. 2001, Section 41.4b, as amended by Section 49 of this
21 act, shall be recodified as Section 34.72 of Title 62 of the
22 Oklahoma Statutes, unless there is created a duplication in
23 numbering.

24

1 62 O.S. 2001, Section 41.4c, as amended by Section 50 of this
2 act, shall be recodified as Section 34.73 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.4d, as amended by Section 51 of this
6 act, shall be recodified as Section 34.74 of Title 62 of the
7 Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 62 O.S. 2001, Section 41.16a, as amended by Section 53 of this
10 act, shall be recodified as Section 34.76 of Title 62 of the
11 Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 62 O.S. 2001, Section 41.19, as amended by Section 57 of this
14 act, shall be recodified as Section 34.80 of Title 62 of the
15 Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 74 O.S. 2001, Section 34, as amended by Section 58 of this act,
18 shall be recodified as Section 34.81 of Title 62 of the Oklahoma
19 Statutes, unless there is created a duplication in numbering.

20 62 O.S. 2001, Section 41.27, as amended by Section 61 of this
21 act, shall be recodified as Section 34.84 of Title 62 of the
22 Oklahoma Statutes, unless there is created a duplication in
23 numbering.

24

1 62 O.S. 2001, Section 41.28, shall be recodified as Section
2 34.85 of Title 62 of the Oklahoma Statutes, unless there is created
3 a duplication in numbering.

4 Section 1, Chapter 132, O.S.L. 2003 (62 O.S. Supp. 2008, Section
5 9.11), shall be recodified as Section 34.86 of Title 62 of the
6 Oklahoma Statutes, unless there is created a duplication in
7 numbering.

8 Section 4, Chapter 355, O.S.L. 2007 (62 O.S. Supp. 2008, Section
9 10.4), shall be recodified as Section 34.87 of Title 62 of the
10 Oklahoma Statutes, unless there is created a duplication in
11 numbering.

12 62 O.S. 2001, Section 41.29a, shall be recodified as Section
13 34.88 of Title 62 of the Oklahoma Statutes, unless there is created
14 a duplication in numbering.

15 62 O.S. 2001, Section 41.29b, as last amended by Section 16,
16 Chapter 322, O.S.L. 2004 (62 O.S. Supp. 2008, Section 41.29b), shall
17 be recodified as Section 34.89 of Title 62 of the Oklahoma Statutes,
18 unless there is created a duplication in numbering.

19 62 O.S. 2001, Section 41.29c, shall be recodified as Section
20 34.90 of Title 62 of the Oklahoma Statutes, unless there is created
21 a duplication in numbering.

22 62 O.S. 2001, Section 41.29d, shall be recodified as Section
23 34.91 of Title 62 of the Oklahoma Statutes, unless there is created
24 a duplication in numbering.

1 62 O.S. 2001, Section 41.29e, as last amended by Section 62 of
2 this act, shall be recodified as Section 34.92 of Title 62 of the
3 Oklahoma Statutes, unless there is created a duplication in
4 numbering.

5 62 O.S. 2001, Section 41.29f, shall be recodified as Section
6 34.93 of Title 62 of the Oklahoma Statutes, unless there is created
7 a duplication in numbering.

8 Section 6, Chapter 301, O.S.L. 2002 (62 O.S. Supp. 2008, Section
9 41.29g), shall be recodified as Section 34.94 of Title 62 of the
10 Oklahoma Statutes, unless there is created a duplication in
11 numbering.

12 Section 2, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2008, Section
13 41.29-1), shall be recodified as Section 34.95 of Title 62 of the
14 Oklahoma Statutes, unless there is created a duplication in
15 numbering.

16 62 O.S. 2001, Section 41.47, as amended by Section 3, Chapter
17 301, O.S.L. 2003 (62 O.S. Supp. 2008, Section 41.47), shall be
18 recodified as Section 34.96 of Title 62 of the Oklahoma Statutes,
19 unless there is created a duplication in numbering.

20 62 O.S. 2001, Section 41.24, shall be recodified as Section
21 212.4 of Title 74 of the Oklahoma Statutes, unless there is created
22 a duplication in numbering.

23 SECTION 65. This act shall become effective July 1, 2009.

24

1 SECTION 66. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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