

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 2088

By: Kirby

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5
6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.
8 2001, Section 2011, as amended by Section 4, Chapter
9 392, O.S.L. 2008 (62 O.S. Supp. 2008, Section 2011),
10 which relates to the Rural Economic Action Plan of
11 1996; modifying certain audit procedure; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 62 O.S. 2001, Section 2011, as
15 amended by Section 4, Chapter 392, O.S.L. 2008 (62 O.S. Supp. 2008,
16 Section 2011), is amended to read as follows:

17 Section 2011. A. Except as otherwise provided by subsection C
18 of this section, the funds available pursuant to the provisions of
19 Section 2006 of this title shall not be used to pay any
20 administrative expenses of the entity requesting the funds. The
21 Oklahoma Department of Commerce shall monitor expenditures made
22 pursuant to the Rural Economic Action Plan Act to ensure compliance
23 with the provisions of this section. Such funds shall be audited by
24 the State Auditor and Inspector in ~~the~~ a manner ~~provided by law for~~

1 ~~audits of other state funds~~ determined by the State Auditor and
2 Inspector. Misuse of funds by an entity shall disqualify the entity
3 from further funding for a period of one (1) year from the date as
4 of which any report by the Oklahoma Department of Commerce is issued
5 revealing a violation of the requirements of this section.

6 B. Except for funds authorized by subsection C of this section,
7 an entity which violates the provisions of this section shall be
8 liable to the State of Oklahoma for treble the amount of funds
9 identified as having been impermissibly used for the payment or
10 reimbursement of administrative expenses. The payment shall be made
11 to the Oklahoma Department of Commerce for deposit in the Rural
12 Economic Action Plan Fund and such funds shall become available for
13 distribution as otherwise provided by Section 2001 et seq. of this
14 title except that no such funds shall be paid to an entity which has
15 been required to make the treble damage payment.

16 C. Upon verification by the Oklahoma Department of Commerce
17 that an entity is qualified to receive funds for a purpose
18 authorized by this section, the entity shall be eligible for an
19 initial planning expenditure payment of not to exceed five percent
20 (5%) of the amount contained in the account created for the entity
21 pursuant to Section 2006 of this title.

22 SECTION 2. This act shall become effective November 1, 2009.

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24 52-1-5364 LRB 12/15/08