

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3320

By: Martin (Scott)

4  
5 AS INTRODUCED

6 An Act relating to public finance; amending 62 O.S.  
7 2001, Section 41.16, as amended by Section 39,  
8 Chapter 441, O.S.L. 2009, and as renumbered by  
9 Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.  
10 2009, Section 34.62), which relates to certain  
11 encumbrance requirements; modifying provisions  
12 related to CompSource; and providing an effective  
13 date.

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

15 SECTION 1. AMENDATORY 62 O.S. 2001, Section 41.16, as  
16 amended by Section 39, Chapter 441, O.S.L. 2009, and as renumbered  
17 by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp. 2009, Section  
18 34.62), is amended to read as follows:

19 Section 34.62 Encumbrance requirements for payments from funds  
20 of the state shall include the following:

21 1. Whenever agencies of this state enter into contracts for, or  
22 on behalf of the state for the purchase of tangible or intangible  
23 property, or for services or labor, such agreement shall be  
24 evidenced by written contracts or purchase orders, and must be  
transmitted to the Director of the Office of State Finance within a

1 reasonable time from the date of the awarding of the contract or  
2 purchase order, as determined by the Director;

3 2. The Director of the Office of State Finance shall charge  
4 such contracts or purchase orders against the proper account as an  
5 outstanding order until it is liquidated by payment of a claim, or  
6 claims, against said contracts or purchase orders, or by  
7 cancellation of the contract or purchase order;

8 3. The Director of the Office of State Finance shall have the  
9 power to authorize agencies of the state to make purchases without  
10 the submission of competitive bids as otherwise required by Sections  
11 85.7 and 85.12 of Title 74 of the Oklahoma Statutes, for or on  
12 behalf of the state whenever the Director determines that it is in  
13 the best interests of the state. The administrative head of any  
14 agency shall be personally liable for obligations incurred in excess  
15 of the authorization granted by the Director;

16 4. The Director of the Office of State Finance shall never  
17 authorize payment of claims for any agency of the state unless they  
18 are supported by:

- 19 a. contracts or purchase orders of the Department of  
20 Central Services,
- 21 b. institutional purchase orders or contracts,
- 22 c. departmental purchase orders or contracts, or
- 23 d. authorizations for purchases granted by the Director  
24 as provided by paragraph 3 of this section;

1 5. Any invoice or claim dated prior to the date of any of the  
2 above-mentioned encumbrance documents shall be rejected by the  
3 Office of State Finance;

4 6. Any encumbrance document that is outstanding on the records  
5 in the Office of State Finance when its funding source or sources  
6 lapse shall be canceled, unless another current funding source is  
7 assigned; ~~and~~

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

16 8. CompSource Oklahoma shall not be required to enter purchase  
17 orders into any data processing system administered by the Office of  
18 State Finance provided CompSource Oklahoma is operating pursuant to  
19 a pilot program authorized by Section 3316 of Title 74 of the  
20 Oklahoma Statutes.

21 SECTION 2. This act shall become effective November 1, 2010.

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23 52-2-9355 MAH 12/30/09

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