

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 541

By: Sykes of the Senate

3 and

4 Murphey of the House

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8 [Oklahoma Innovation, Efficiency and Accountability
9 Act of 2011 - licenses and permits - electronic
10 signatures - Trip Optimizer system - modifying
11 provisions - defining term - lowest cost option -
12 exemptions - noncodification - recodification -
13 effective date]

14 AUTHOR: Add the following House Coauthor: Derby

15 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire and insert

16 "An Act relating to state government; enacting the
17 Oklahoma Innovation, Efficiency and Accountability
18 Act of 2011; amending Section 5, Chapter 322, O.S.L.
19 2009 (62 O.S. Supp. 2010, Section 41.5p-1), which
20 relates to certain licenses and permits; authorizing
21 electronic signatures under certain circumstances;
22 excluding driver license renewal applications from
23 requirements for web-based license and permit
24 applications and renewals; amending 62 O.S. 2001,
Section 41.29, as renumbered by Section 64, Chapter
441, O.S.L. 2009, and as last amended by Section 44,
Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010, Section
34.36), which relates to certain itemized requests;
modifying required content with respect to employee
engaged in financial services; requiring publication
of report; specifying content of report; providing
exemption from certain requirements to the Oklahoma

1 State Regents for Higher Education and to
2 institutions within The Oklahoma State System of
3 Higher Education; providing for noncodification; and
4 providing for recodification.

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

6 SECTION 1. NEW LAW A new section of law not to be
7 codified in the Oklahoma Statutes reads as follows:

8 This act shall be known and may be cited as the "Oklahoma
9 Innovation, Efficiency and Accountability Act of 2011".

10 SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L.
11 2009 (62 O.S. Supp. 2010, Section 41.5p-1), is amended to read as
12 follows:

13 Section 41.5p-1 A. Except as otherwise provided by this
14 section, as of July 1, 2010, each state agency, board, commission or
15 other entity organized within the executive department of state
16 government responsible for licensing or permitting shall utilize the
17 portal system to allow for ~~the~~ a link to a web-based application and
18 renewal application for any license or permit issued by that agency.
19 Access to the online renewal systems shall be featured prominently
20 on the portal system.

21 B. Each entity responsible for licensing or permitting shall
22 make available to the Office of State Finance on a yearly basis a
23 report describing the number of licenses issued, license renewals
24 and permits issued as well as an estimate of the amount of savings

1 incurred by the entity as a result of the online licensing and
2 permitting process.

3 C. The Office of State Finance shall make available to the
4 public a copy of each report submitted in accordance with the
5 requirements of subsection B of this section by placing the report
6 on the website defined in Section 46 of ~~Title 62 of the Oklahoma~~
7 ~~Statutes~~ this title.

8 D. The Director of the Office of State Finance may exempt a
9 specific license or permit from the requirements of this section
10 should ~~he~~ the Director find compelling evidence that the issuance of
11 the license or permit requires the provision of information that
12 cannot be provided through an online licensing or permitting process
13 and when the failure of the applicant to provide the information
14 would create a significant risk to the integrity of the license or
15 permit. The Director of the Office of State Finance shall document
16 any exemptions issued pursuant to the provisions of this subsection
17 and describe the compelling evidence justifying the need for the
18 exemptions in a report to be provided to the Governor, Speaker of
19 the Oklahoma House of Representatives and Speaker Pro Tempore of the
20 State Senate. The exception provided for in this subsection shall
21 not apply to license renewals pursuant to the Oklahoma Vehicle
22 License and Registration Act of Title 47 of the Oklahoma Statutes.

23 E. The state agencies may accept an electronic signature in the
24 application process for any license or permit, provided the use of

1 an electronic signature does not create a significant risk to the
2 integrity of the license or permit.

3 F. Nothing in this section shall apply to driver license
4 renewal applications.

5 SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.29, as
6 renumbered by Section 64, Chapter 441, O.S.L. 2009, and as last
7 amended by Section 44, Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010,
8 Section 34.36), is amended to read as follows:

9 Section 34.36 A. On the first day of October preceding each
10 regular session of the Legislature, each state agency, including
11 those created or established pursuant to constitutional provisions,
12 shall report to the Director of the Office of State Finance and the
13 Chair and Vice Chair of the Legislative Oversight Committee on State
14 Budget Performance an itemized request showing the amount needed for
15 the ensuing fiscal year beginning with the first day of July.

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

19 C. The forms shall be uniform, and shall clearly designate the
20 information to be given.

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 11. With respect to appropriated state agencies, a detailed
22 listing of all employees and resources dedicated to the provision of
23 financial services including but not limited to procurement,
24 payroll, accounts receivable and accounts payable. The provisions

1 of this paragraph shall not be applicable to the Oklahoma State
2 Regents for Higher Education or to any institutions within The
3 Oklahoma State System of Higher Education; and

4 12. A certification that following the effective date of this
5 act and prior to July 1, 2011, no expenditure shall have been made
6 or funds encumbered for the purchase, lease, lease-purchase or
7 rental of any computers, software, telecom, information technology
8 hardware, firmware or information technology services, including
9 support services without the prior written approval of the State
10 Comptroller or his or her designee.

11 E. These appropriated agencies shall make an itemized estimate
12 of needs and request for funds for the ensuing fiscal year and an
13 estimate of the revenues from all sources to be received by the
14 agency during the ensuing fiscal year.

15 F. The Director of the Office of State Finance shall submit to
16 the Governor and the Legislative Oversight Committee on State Budget
17 Performance no later than the fifth day of October a complete list
18 of all spending agencies which have failed to submit budgets by
19 October 1.

20 G. The reports required by this section shall include an
21 itemized listing of outstanding capital lease debt and estimated
22 capital lease needs for the ensuing fiscal year, and shall be
23 provided on forms prescribed by the Director of the Office of State
24 Finance.

1 H. For the purposes of this section, "capital lease" means a
2 lease-purchase agreement which provides an option for the State of
3 Oklahoma or its agencies to purchase property, including personal
4 and real property, which is the subject thereof and/or a lease
5 agreement that provides an option for the State of Oklahoma or its
6 agencies to lease such property, which is the subject thereof, at a
7 nominal annual amount, after a period in which leased property is
8 rented at fair market value.

9 I. The provisions of this section shall not apply to CompSource
10 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
11 program authorized by Sections 3316 and 3317 of Title 74 of the
12 Oklahoma Statutes.

13 J. Not later than January 1, the Director of the Office of
14 State Finance shall publish a financial services cost-performance
15 assessment which shall document each appropriated state agency's
16 cost for providing financial services including but not limited to
17 procurement, payroll, accounts receivable and accounts payable.
18 Appropriated state agencies ranking in the bottom ten percent (10%)
19 of the cost-performance assessment shall enter into a contract with
20 the Office of State Finance for the provision of shared financial
21 services, provided that the Director of the Office of State Finance
22 determines and documents that the contractual agreement will result
23 in cost savings to the appropriated state agency. Contracts
24 required by this subsection shall be entered into at the start of

1 the next fiscal year. On a yearly basis the Director of the Office
2 of State Finance shall compile and publish a report documenting the
3 cost savings resulting from shared services contracts. The
4 provisions of this subsection shall not be applicable to the
5 Oklahoma State Regents for Higher Education or to any institutions
6 within The Oklahoma State System of Higher Education.

7 SECTION 4. RECODIFICATION Section 5, Chapter 322, O.S.L.
8 2009 (62 O.S. Supp. 2010, Section 41.5p-1), as amended by Section 2
9 of this act, shall be recodified as Section 34.24.1 of Title 62 of
10 the Oklahoma Statutes, unless there is created a duplication in
11 numbering.”

12 Passed the House of Representatives the 18th day of April, 2011.

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16 Presiding Officer of the House of
Representatives

17 Passed the Senate the ____ day of _____, 2011.

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20 _____
21 Presiding Officer of the Senate