

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 541

By: Sykes of the Senate

and

Murphey of the House

6
7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to state government; enacting the
11 Oklahoma Innovation, Efficiency and Accountability
12 Act of 2011; amending Section 5, Chapter 322, O.S.L.
13 2009 (62 O.S. Supp. 2010, Section 41.5p-1), which
14 relates to certain licenses and permits; authorizing
15 electronic signatures under certain circumstances;
16 amending 62 O.S. 2001, Section 41.29, as renumbered
17 by Section 64, Chapter 441, O.S.L. 2009, and as last
18 amended by Section 44, Chapter 2, O.S.L. 2010 (62
19 O.S. Supp. 2010, Section 34.36), which relates to
20 certain itemized requests; modifying required content
21 with respect to employee engaged in financial
22 services; requiring publication of report; specifying
23 content of report; providing exemption from certain
24 requirements to the Oklahoma State Regents for Higher
Education and to institutions within The Oklahoma
State System of Higher Education; providing for
noncodification; providing for recodification; and
declaring an emergency.

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

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

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

3 SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L.
4 2009 (62 O.S. Supp. 2010, Section 41.5p-1), is amended to read as
5 follows:

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

14 B. Each entity responsible for licensing or permitting shall
15 make available to the Office of State Finance on a yearly basis a
16 report describing the number of licenses issued, license renewals
17 and permits issued as well as an estimate of the amount of savings
18 incurred by the entity as a result of the online licensing and
19 permitting process.

20 C. The Office of State Finance shall make available to the
21 public a copy of each report submitted in accordance with the
22 requirements of subsection B of this section by placing the report
23 on the website defined in Section 46 of ~~Title 62 of the Oklahoma~~
24 ~~Statutes~~ this title.

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

16 E. The state agencies may accept an electronic signature in the
17 application process for any license or permit, provided the use of
18 an electronic signature does not create a significant risk to the
19 integrity of the license or permit.

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

24

1 Section 34.36 A. On the first day of October preceding each
2 regular session of the Legislature, each state agency, including
3 those created or established pursuant to constitutional provisions,
4 shall report to the Director of the Office of State Finance and the
5 Chair and Vice Chair of the Legislative Oversight Committee on State
6 Budget Performance an itemized request showing the amount needed for
7 the ensuing fiscal year beginning with the first day of July.

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

11 C. The forms shall be uniform, and shall clearly designate the
12 information to be given.

13 D. The information provided shall include, but not be limited
14 to:

15 1. A budget analysis of existing and proposed programs
16 utilizing zero-based budgeting techniques. Such analysis shall be
17 included as a part of the estimate of funds needed;

18 2. A statement listing any other state, federal or local
19 agencies which administer a similar or cooperating program and an
20 outline of the interaction among such agencies;

21 3. A statement of the statutory authority for the missions and
22 quantified objectives of each program;

23 4. A description of the groups of people served by each program
24 in the agency;

- 1 5. A quantification of the need for the program;
- 2 6. A description of the tactics which are intended to
3 accomplish each objective;
- 4 7. A list of quantifiable program outcomes which measure the
5 efficiency and effectiveness of each program;
- 6 8. A ranking of these programs by priority;
- 7 9. Actual program expenditures for the current fiscal year and
8 prior fiscal years and the number of personnel required to
9 accomplish each program; ~~and~~
- 10 10. Revenues expected to be generated by each program, if any;
- 11 11. With respect to appropriated state agencies, a detailed
12 listing of all employees and resources dedicated to the provision of
13 financial services including but not limited to procurement,
14 payroll, accounts receivable and accounts payable. The provisions
15 of this paragraph shall not be applicable to the Oklahoma State
16 Regents for Higher Education or to any institutions within The
17 Oklahoma State System of Higher Education; and
- 18 12. A certification that following the effective date of this
19 act and prior to July 1, 2011, no expenditure shall have been made
20 or funds encumbered for the purchase, lease, lease-purchase or
21 rental of any computers, software, telecom, information technology
22 hardware, firmware or information technology services, including
23 support services without the prior written approval of the State
24 Comptroller or his or her designee.

1 E. These appropriated agencies shall make an itemized estimate
2 of needs and request for funds for the ensuing fiscal year and an
3 estimate of the revenues from all sources to be received by the
4 agency during the ensuing fiscal year.

5 F. The Director of the Office of State Finance shall submit to
6 the Governor and the Legislative Oversight Committee on State Budget
7 Performance no later than the fifth day of October a complete list
8 of all spending agencies which have failed to submit budgets by
9 October 1.

10 G. The reports required by this section shall include an
11 itemized listing of outstanding capital lease debt and estimated
12 capital lease needs for the ensuing fiscal year, and shall be
13 provided on forms prescribed by the Director of the Office of State
14 Finance.

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

23 I. The provisions of this section shall not apply to CompSource
24 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot

1 program authorized by Sections 3316 and 3317 of Title 74 of the
2 Oklahoma Statutes.

3 J. Not later than January 1, the Director of the Office of
4 State Finance shall publish a financial services cost-performance
5 assessment which shall document each appropriated state agency's
6 cost for providing financial services including but not limited to
7 procurement, payroll, accounts receivable and accounts payable.
8 Appropriated state agencies ranking in the bottom ten percent (10%)
9 of the cost-performance assessment shall enter into a contract with
10 the Office of State Finance for the provision of shared financial
11 services, provided that the Director of the Office of State Finance
12 determines and documents that the contractual agreement will result
13 in cost savings to the appropriated state agency. Contracts
14 required by this subsection shall be entered into at the start of
15 the next fiscal year. On a yearly basis the Director of the Office
16 of State Finance shall compile and publish a report documenting the
17 cost savings resulting from shared services contracts. The
18 provisions of this subsection shall not be applicable to the
19 Oklahoma State Regents for Higher Education or to any institutions
20 within The Oklahoma State System of Higher Education.

21 SECTION 4. RECODIFICATION Section 5, Chapter 322, O.S.L.
22 2009 (62 O.S. Supp. 2010, Section 41.5p-1), as amended by Section 2
23 of this act, shall be recodified as Section 34.24.1 of Title 62 of

24

1 the Oklahoma Statutes, unless there is created a duplication in
2 numbering.

3 SECTION 5. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7

8 53-1-7258 LRB 03/24/11

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24