

1  
2 ENGROSSED HOUSE  
3 BILL NO. 1207

By: Murphey and Cockroft of the  
House

4  
5 and

Sykes of the Senate

6  
7  
8 An Act relating to state government; enacting the  
9 Oklahoma Innovation, Efficiency and Accountability  
10 Act of 2011; amending Section 5, Chapter 322, O.S.L.  
11 2009 (62 O.S. Supp. 2010, Section 41.5p-1), which  
12 relates to certain licenses and permits; authorizing  
13 electronic signatures under certain circumstances;  
14 providing exception; amending Section 1, Chapter 152,  
15 O.S.L. 2009 (74 O.S. Supp. 2010, Section 85.45 1),  
16 which relates to a Trip Optimizer system; modifying  
17 provisions related to mandatory use of system;  
18 defining term; imposing requirement related to lowest  
19 cost option; imposing requirement on Office of State  
20 Finance with respect to federal funds disbursed  
21 pursuant to the American Recovery and Reinvestment  
22 Act of 2009; prescribing formats for information;  
23 prescribing list of expenditures and search  
24 functionality; prescribing required information;  
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 State Regents for Higher  
Education and to institutions within The Oklahoma  
State System of Higher Education; providing for  
codification; providing for noncodification;  
providing for recodification; and providing an  
effective date.

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

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

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

6 SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L.  
7 2009 (62 O.S. Supp. 2010, Section 41.5p-1), is amended to read as  
8 follows:

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

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

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

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

21 E. The state agencies may accept an electronic signature in the  
22 application process for any license or permit; provided, the use of  
23 an electronic signature shall not create a significant risk to the  
24 integrity of the license or permit.

1 F. Nothing in this section shall apply to driver license  
2 renewal applications.

3 SECTION 3. AMENDATORY Section 1, Chapter 152, O.S.L.  
4 2009 (74 O.S. Supp. 2010, Section 85.45 1), is amended to read as  
5 follows:

6 Section 85.45 1 A. ~~Except as otherwise provided by this~~  
7 ~~section, each~~ Each state agency, board, commission or other entity  
8 organized within the executive department of state government shall  
9 use the Trip Optimizer system of the Department of Central Services  
10 in computing the optimum method and cost for travel by state  
11 employees using a motor vehicle where the travel will exceed one  
12 hundred (100) miles per day and the employee is not driving a state-  
13 owned or -leased dedicated vehicle. For purposes of this section,  
14 "dedicated vehicle" means a vehicle that has been assigned to the  
15 employee.

16 B. The provisions of this section shall be used to determine  
17 the most cost-effective method of travel by motor vehicles, whether  
18 such vehicles are owned by the agency, leased by the agency or by  
19 the employee, and shall be applicable for purposes of determining  
20 the maximum authorized amount of any travel reimbursement for  
21 employees of such agencies related to vehicle usage.

22 C. ~~An~~ A nonappropriated state agency, as defined in subsection  
23 ~~A of this section,~~ that employs persons who use personal vehicles as  
24 part of their regular duties and who are reimbursed for travel

1 expenses by the agency shall not be required to utilize the Trip  
2 Optimizer system with regard to the travel expenses of such  
3 employees. As used in this section, "nonappropriated state agency"  
4 means an entity within the executive branch of government that does  
5 not receive any of its funding through the annual legislative  
6 appropriations process.

7 D. The maximum authorized amount of travel reimbursement  
8 related to vehicle usage shall be the lowest cost option as  
9 determined by the Trip Optimizer. All travel claims submitted for  
10 reimbursement shall include the results of the Trip Optimizer  
11 indicating the lowest cost option for travel by the state employee.

12 SECTION 4. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 34.100 of Title 62, unless there  
14 is created a duplication in numbering, reads as follows:

15 The Office of State Finance shall maintain a website providing  
16 public access to the documentation of the disbursement by state  
17 agencies of federal funds received pursuant to the federal American  
18 Recovery and Reinvestment Act of 2009. The website shall provide a  
19 list of all stimulus fund expenditures regardless of amount. The  
20 entire list of stimulus fund expenditures shall be available for  
21 export in standardized formats including but not limited to  
22 eXtensible Markup Language (XML) and Comma Separated Value (CSV)  
23 formats. The list of expenditures shall include searchable  
24 functionality including but not limited to the ability to search the

1 expenditures by the name of the entity receiving funding, name of  
2 entity processing funding and name of entity benefiting from  
3 funding. This site shall include the name and principal location of  
4 the entity and/or recipients of the funds regardless of amount, the  
5 amount of funds expended, the funding or expending agency, and a  
6 descriptive purpose of the funding action or expenditure. The State  
7 Auditor and Inspector shall not be responsible for maintaining the  
8 website described in this section.

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

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

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

23 C. The forms shall be uniform, and shall clearly designate the  
24 information to be given.

1 D. The information provided shall include, but not be limited  
2 to:

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

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

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

11 4. A description of the groups of people served by each program  
12 in the agency;

13 5. A quantification of the need for the program;

14 6. A description of the tactics which are intended to  
15 accomplish each objective;

16 7. A list of quantifiable program outcomes which measure the  
17 efficiency and effectiveness of each program;

18 8. A ranking of these programs by priority;

19 9. Actual program expenditures for the current fiscal year and  
20 prior fiscal years and the number of personnel required to  
21 accomplish each program; ~~and~~

22 10. Revenues expected to be generated by each program, if any;  
23 and

24

1        11. With respect to appropriated state agencies, a detailed  
2 listing of all employees and resources dedicated to the provision of  
3 financial services including but not limited to procurement,  
4 payroll, accounts receivable and accounts payable. The provisions  
5 of this paragraph shall not be applicable to the Oklahoma State  
6 Regents for Higher Education or to any institutions within The  
7 Oklahoma State System of Higher Education.

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

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

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

22        H. For the purposes of this section, "capital lease" means a  
23 lease-purchase agreement which provides an option for the State of  
24 Oklahoma or its agencies to purchase property, including personal

1 and real property, which is the subject thereof and/or a lease  
2 agreement that provides an option for the State of Oklahoma or its  
3 agencies to lease such property, which is the subject thereof, at a  
4 nominal annual amount, after a period in which leased property is  
5 rented at fair market value.

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

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

1 provisions of this subsection shall not be applicable to the  
2 Oklahoma State Regents for Higher Education or to any institutions  
3 within The Oklahoma State System of Higher Education.

4 SECTION 6. RECODIFICATION Section 5, Chapter 322, O.S.L.  
5 2009 (62 O.S. Supp. 2010, Section 41.5p-1), as amended by Section 2  
6 of this act, shall be recodified as Section 34.24.1 of Title 62 of  
7 the Oklahoma Statutes, unless there is created a duplication in  
8 numbering.

9 SECTION 7. This act shall become effective November 1, 2011.  
10 Passed the House of Representatives the 9th day of March, 2011.

11  
12  
13 Presiding Officer of the House of  
14 Representatives

15 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2011.

16  
17  
18 Presiding Officer of the Senate  
19  
20  
21  
22  
23  
24