

1 **SENATE FLOOR VERSION**

2 April 11, 2011

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 1665

By: Osborn, Reynolds, Faught,
Hall, Roberts (Sean),
Roberts (Dustin), Kern and
Tibbs of the House

6 and

7 Jolley of the Senate
8

9
10 [state government - Oklahoma Art in Public Places
11 Act - suspension of assessment - effective date -
12 emergency]

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

14 SECTION 1. AMENDATORY Section 6, Chapter 254, O.S.L.
15 2004, as amended by Section 2, Chapter 400, O.S.L. 2004 (74 O.S.
16 Supp. 2010, Section 9030.5), is amended to read as follows:

17 Section 9030.5 A. 1. ~~All~~ Except as otherwise provided by
18 subsection C of this section, all state agencies, including
19 institutions within The Oklahoma State System of Higher Education,
20 all state departments, boards, councils, and commissions shall
21 allocate, as a nondeductible item out of any expenditures for
22 capital projects including, but not limited to, bond issues for
23 state construction excluding costs for bond issuance and related
24 reserves, an amount of one and one-half percent (1 1/2%) of the

1 expenditure to the Oklahoma Historical Society for the purpose of
2 funding the Oklahoma Art in Public Places Act, except as otherwise
3 provided by subsection B of this section.

4 2. The maximum assessment for any project shall not exceed Five
5 Hundred Thousand Dollars (\$500,000.00). This assessment shall not
6 apply to any private donations for a capital project. This
7 allocation shall be applicable to all state agency capital projects
8 approved by the appointing authority after September 1, 2004. The
9 works of art commissioned pursuant to the Oklahoma Art in Public
10 Places Act may be placed on public lands, integral to or attached to
11 a public building or structure, or detached within or outside a
12 public building or structure.

13 B. 1. Of the assessment provided for in subsection A of this
14 section, four-fifths (4/5) shall be placed in the Commissioning of
15 Art in Public Places Revolving Fund, created in Section 7 9030.6 of
16 ~~Enrolled Senate Bill No. 1347 of the 2nd Session of the 49th~~
17 ~~Oklahoma Legislature~~ this title, for the commission of any work of
18 art for the Oklahoma Art in Public Places Act. Institutions within
19 The Oklahoma State System of Higher Education shall remain in
20 complete administrative control of their four-fifths (4/5)
21 assessment pursuant to this subsection for the acquisition of art.
22 The remaining one-fifth (1/5) of the assessment shall be reserved
23 for the Art in Public Places Administrative and Maintenance
24 Revolving Fund created by Section 8 9030.7 of ~~Enrolled Senate Bill~~

1 ~~No. 1347 of the 2nd Session of the 49th Oklahoma Legislature~~ this
2 title.

3 2. Monies deposited in the Art in Public Places Administrative
4 and Maintenance Revolving Fund ~~shall be divided equally between the~~
5 ~~subaccounts in the fund for:~~

6 a. ~~the maintenance and repair of works of art~~
7 ~~commissioned pursuant to the Oklahoma Art in Public~~
8 ~~Places Act, and~~

9 b. ~~the administrative and educational costs incurred by~~
10 ~~the Division~~

11 for the purpose of this moratorium, shall be used for continued
12 administration, educational costs, and maintenance.

13 C. The provisions of subsection A of this section shall not be
14 applicable for the fiscal year ending:

15 1. June 30, 2012;

16 2. June 30, 2013; and

17 3. June 30, 2014.

18 SECTION 2. This act shall become effective July 1, 2011.

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

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-6-11 - DO
24 PASS, As Amended.