

1 STATE OF OKLAHOMA

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

3 SENATE BILL 541

By: Sykes

4
5
6 AS INTRODUCED

7 An Act relating to state government; enacting the
8 Oklahoma Innovation, Efficiency and Accountability
9 Act of 2011; amending Section 5, Chapter 322, O.S.L.
10 2009 (62 O.S. Supp. 2010, Section 41.5p-1), which
11 relates to certain licenses and permits; authorizing
12 electronic signatures under certain circumstances;
13 amending Section 1, Chapter 152, O.S.L. 2009 (74 O.S.
14 Supp. 2010, Section 85.45 l), which relates to a Trip
15 Optimizer system; modifying provisions related to
16 mandatory use of system; defining term; imposing
17 requirement related to lowest cost option; amending
18 62 O.S. 2001, Section 41.29, as renumbered by Section
19 64, Chapter 441, O.S.L. 2009, and as last amended by
20 Section 44 Chapter 2, O.S.L. 2010 (62 O.S. Supp.
21 2010, Section 34.36), which relates to certain
22 itemized requests; modifying required content with
23 respect to employee engaged in financial services;
24 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
noncodification; providing for recodification; and
providing an effective date.

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 shall not create a significant risk to the
19 integrity of the license or permit.

20 SECTION 3. AMENDATORY Section 1, Chapter 152, O.S.L.
21 2009 (74 O.S. Supp. 2010, Section 85.45 1), is amended to read as
22 follows:

23 Section 85.45 1 A. ~~Except as otherwise provided by this~~
24 ~~section, each~~ Each state agency, board, commission or other entity

1 organized within the executive department of state government shall
2 use the Trip Optimizer system of the Department of Central Services
3 in computing the optimum method and cost for travel by state
4 employees using a motor vehicle where the travel will exceed one
5 hundred (100) miles per day and the employee is not driving a state-
6 owned or -leased dedicated vehicle. For purposes of this section,
7 "dedicated vehicle" means a vehicle that has been assigned to the
8 employee.

9 B. The provisions of this section shall be used to determine
10 the most cost-effective method of travel by motor vehicles, whether
11 such vehicles are owned by the agency, leased by the agency or by
12 the employee, and shall be applicable for purposes of determining
13 the maximum authorized amount of any travel reimbursement for
14 employees of such agencies related to vehicle usage.

15 C. ~~An~~ A nonappropriated state agency, as defined in subsection
16 ~~A of this section,~~ that employs persons who use personal vehicles as
17 part of their regular duties and who are reimbursed for travel
18 expenses by the agency shall not be required to utilize the Trip
19 Optimizer system with regard to the travel expenses of such
20 employees. As used in this section, "nonappropriated state agency"
21 means an entity within the executive branch of government that does
22 not receive any of its funding through the annual legislative
23 appropriations process.

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1 D. The maximum authorized amount of travel reimbursement
2 related to vehicle usage shall be the lowest cost option as
3 determined by the Trip Optimizer. All travel claims submitted for
4 reimbursement shall include the results of the Trip Optimizer
5 indicating the lowest cost option for travel by the state employee.

6 SECTION 4. AMENDATORY 62 O.S. 2001, Section 41.29, as
7 renumbered by Section 64, Chapter 441, O.S.L. 2009, and as last
8 amended by Section 44, Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010,
9 Section 34.36), is amended to read as follows:

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

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

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

22 D. The information provided shall include, but not be limited
23 to:
24

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

1 payroll, accounts receivable and accounts payable. The provisions
2 of this paragraph shall not be applicable to the Oklahoma State
3 Regents for Higher Education or to any institutions within The
4 Oklahoma State System of Higher Education.

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

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

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

19 H. For the purposes of this section, "capital lease" means a
20 lease-purchase agreement which provides an option for the State of
21 Oklahoma or its agencies to purchase property, including personal
22 and real property, which is the subject thereof and/or a lease
23 agreement that provides an option for the State of Oklahoma or its
24 agencies to lease such property, which is the subject thereof, at a

1 nominal annual amount, after a period in which leased property is
2 rented at fair market value.

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

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

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

6 SECTION 6. This act shall become effective November 1, 2011.
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