

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB2080
_____ Of the printed Bill
Page _____ Section _____ Lines _____
_____ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Ken Walker

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 PROPOSED
4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 2080

By: Dahm of the Senate

and

Echols of the House

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10 PROPOSED COMMITTEE SUBSTITUTE

11 An Act relating to Memorandums of Understanding;
12 creating the Memorandum of Understanding Act;
13 providing short title; defining term; requiring
14 agencies to provide certain legislative committees
15 with certain proposed agreements; requiring agencies
16 to publish certain documents; requiring agencies to
17 publish certain annual report; providing for content
18 of report; providing certain exception; requiring
19 certain constitutional cites; providing for
20 codification; and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3120 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Memorandum of
Understanding Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3121 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. For purposes of the Memorandum of Understanding Act, "state
5 agency" means any office, bureau, board, counsel, commission,
6 institution, division or body of the executive branch, including
7 political subdivisions, but shall not include any nonappropriated
8 state agency as defined pursuant to Section 35.3 of Title 62 of the
9 Oklahoma Statutes, the Oklahoma State Regents for Higher Education,
10 the institutions of The Oklahoma State System of Higher Education,
11 the State Board of Career and Technology Education, technology
12 center school districts, and school districts as defined by Section
13 1-108 of Title 70 of the Oklahoma Statutes.

14 B. When any state agency enters into a Memorandum of
15 Understanding or Memorandum of Agreement, and when the state
16 Legislature is in session, the state agency shall provide the chair
17 of the appropriate legislative committee, based on the subject
18 matter or agency executing the document, with a copy of the
19 Memorandum of Understanding or Memorandum of Agreement. The state
20 agency shall publish the final agreement documents on the
21 *documents.ok.gov* website within thirty (30) days of executing the
22 document.

23 C. The state agency shall publish an annual report on its
24 website and the *documents.ok.gov* website, no later than September 15

1 of each year, of all Memorandums of Understanding or Memorandums of
2 Agreement currently active with any agencies, departments, and any
3 organizations receiving appropriated money, grants, contracts from
4 the State of Oklahoma, or any other state, or funds from the
5 government of the United States, as well as any company that serves
6 as a contractor to the government of the United States or to this
7 state. The annual report shall contain a detailed accounting of
8 each Memorandum of Understanding or Memorandum of Agreement which
9 shall include:

10 1. The effective date of the Memorandum of Understanding or
11 Memorandum of Agreement;

12 2. The duration of the Memorandum of Understanding or
13 Memorandum of Agreement;

14 3. The entities subject to the Memorandum of Understanding or
15 Memorandum of Agreement;

16 4. The purpose of the Memorandum of Understanding or Memorandum
17 of Agreement; and

18 5. The Constitutional provisions allowing for the subject
19 addressed in the Memorandum of Understanding or Memorandum of
20 Agreement.

21 D. Provided, the state agency shall not publish any such report
22 on a Memorandum of Understanding or Memorandum of Agreement that is
23 privileged under law pursuant to the Oklahoma Open Records Act.

24 However, the report shall still indicate what entities are subject

1 to the Memorandum of Understanding or Memorandum of Agreement and
2 its duration.

3 E. Memorandums of Understanding or Memorandums of Agreement
4 solely between departments or agencies of this state shall cite
5 authority granted in the Constitution of the State of Oklahoma for
6 the subject addressed in the Memorandum of Understanding or
7 Memorandum of Agreement. Memorandums of Understanding or
8 Memorandums of Agreement between any department or agency of this
9 state and any agency, department, and any organization receiving
10 appropriated money, grants, contracts, or funds from the government
11 of the United States, as well as any company that serves as a
12 contractor to the government of the United States, shall cite the
13 authority granted in the Constitution of the United States as well
14 as the Constitution of the State of Oklahoma for the subject
15 addressed in the Memorandum of Understanding or Memorandum of
16 Agreement.

17 SECTION 3. This act shall become effective November 1, 2014.

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19 54-2-10904 LRB 04/15/14

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