

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 596

6 By: Holt of the Senate

7 and

8 Murphey of the House

9 COMMITTEE SUBSTITUTE

10 An Act relating to state government; amending 62 O.S.
11 2011, Section 45.8, which relates to requiring
12 evaluation of certain report in certain performance
13 audits; requiring annual report to certain
14 legislative committee by certain date; stating
15 required information; stating procedures for
16 developing report; defining terms; requiring posting
17 of certain reports on certain agency website;
18 requiring notice of posting; providing for
19 codification; and providing an effective date.

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

21 SECTION 1. AMENDATORY 62 O.S. 2011, Section 45.8, is
22 amended to read as follows:

23 Section 45.8. A. The State Auditor and Inspector when in the
24 conduct of a performance audit of a state agency shall consider in
the evaluation of an agency the extent to which the agency conforms
to the agency's strategic plan and management and performance
report.

1 B. The Joint Committee on Accountability in Government pursuant
2 to its procedures may conduct a performance investigation of a state
3 agency to consider to what extent an agency has improved
4 performance.

5 C. The activities of the Joint Committee shall not preclude
6 other oversight activities by other legislative entities.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 45.11 of Title 62, unless there
9 is created a duplication in numbering, reads as follows:

10 A. No later than January 15th of each year, each state agency
11 shall submit a program management and performance report to the
12 Chair and Vice Chair of the Joint Legislative Committee on Budget
13 and Program Oversight, the Chair and Vice Chair of the Joint
14 Committee on Accountability in Government, and the Director of the
15 Office of Management and Enterprise Services. The report shall
16 contain, at a minimum, detailed data for each agency program
17 relating to each of the evaluation factors set out in Section 45.9
18 of Title 62 of the Oklahoma Statutes. It shall also list:

19 1. Specific cost avoidance and cost containment measures
20 implemented during the previous twelve month period;

21 2. The agency's methodology for:

- 22 a determining its fee structure,
- 23 b calculating fees,
- 24 c measuring customer satisfaction;

1 3. Programs or operations not required for the agency's core
2 function; and

3 4. Details showing the actual cost of any programs or
4 operations listed under paragraph 3 of this subsection.

5 B. The program management and performance report shall be
6 developed by the agency in conjunction with a working group of
7 program stakeholders who shall be representative of the various
8 constituencies impacted by the program. The agency may form
9 separate work groups for individual programs. The agency shall
10 solicit applicants by giving public notice of the creation of the
11 group and the process for a person to apply for appointment to the
12 group. The work group shall meet at least twice and shall be
13 authorized to review agency records and request information related
14 to developing the program management and performance report. If the
15 work group is unable to develop a consensus with the agency or among
16 its members, the program management and performance report shall
17 include a statement outlining the differing conclusions. Dissenting
18 members may submit a separate report in the same manner as required
19 for the agency. The time, date and location of work group meeting
20 dates shall be posted on the agency website and shall be open to the
21 public.

22 C. For purposes of this section, "state agency" means a
23 governmental agency as defined in Section 34.29 of Title 62 of the
24 Oklahoma Statutes that receives an appropriation and is authorized

1 to adopt a fee. "Program" means a service, contract, operation or
2 procedure of an agency.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 63.5 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 Upon receipt of reports required by Section 45.11 of Title 62 of
7 the Oklahoma Statutes, the Office of Management and Enterprise
8 Services shall cause the reports to be posted on the
9 "documents.ok.gov" website. The Office shall also send a notice of
10 such posting to the Governor, the President Pro Tempore of the State
11 Senate and the Speaker of the House of Representatives.

12 SECTION 4. This act shall become effective November 1, 2013.

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