

1 ENGROSSED HOUSE  
2 BILL NO. 1465

By: Murphey of the House

3 and

4 Holt of the Senate

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7 An Act relating to state government; creating the  
8 Quantification of State Government Performance Act of  
9 2013; amending 62 O.S. 2011, Section 45.8, which  
10 relates to the Oklahoma Program Performance Budgeting  
11 and Accountability Act; modifying considerations in  
12 the evaluation of an agency; requiring state agencies  
13 to submit a program management and performance report  
14 to certain persons by a certain date; providing for  
15 contents of report; requiring report to be developed  
16 by certain entities; authorizing agency to form work  
17 groups for programs; providing for meetings and  
18 duties of the work group; defining terms; requiring  
19 reports be posted on certain website; providing for  
20 notice of posting to be sent to certain persons;  
21 providing for codification; providing for  
22 noncodification; and providing an effective date.

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

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

This act shall be known and may be cited as the "Quantification  
of State Government Performance Act of 2013".

SECTION 2. AMENDATORY 62 O.S. 2011, Section 45.8, is  
amended to read as follows:

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

6 B. The Joint Committee on Accountability in Government pursuant  
7 to its procedures may conduct a performance investigation of a state  
8 agency to consider to what extent an agency has improved  
9 performance.

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

12 SECTION 3. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 45.11 of Title 62, unless there  
14 is created a duplication in numbering, reads as follows:

15 A. No later than January 15 of each year, each state agency  
16 shall submit a program management and performance report to the  
17 Speaker of the Oklahoma House of Representatives, the President Pro  
18 Tempore of the Oklahoma State Senate and the Director of the Office  
19 of Management and Enterprise Services. The report shall contain, at  
20 a minimum, detailed data for each agency program relating to each of  
21 the evaluation factors set out in Section 45.9 of this title. The  
22 report shall also list:

23 1. Specific cost avoidance and cost containment measures  
24 implemented during the previous twelve-month period;

1        2. The agency's methodology for:

- 2            a. determining its fee structure,
- 3            b. calculating fees, and
- 4            c. measuring customer satisfaction;

5        3. Programs or operations not required for core function of the  
6 agency; and

7        4. Details showing the actual cost of any programs or  
8 operations listed in paragraph 3 of subsection A of this section.

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

3 C. For purposes of this section, "state agency" means a  
4 governmental agency as defined in Section 34.29 of Title 62 of the  
5 Oklahoma Statutes that receives an appropriation and is authorized  
6 to adopt a fee. "Program" means a service, contract, operation or  
7 procedure of an agency.

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

11 Upon receipt of reports required by Section 45.11 of Title 62 of  
12 the Oklahoma Statutes, the Office of Management and Enterprise  
13 Services shall cause the reports to be posted on the  
14 *documents.ok.gov* website. The Office shall also send a notice of  
15 such posting to the Governor, the President Pro Tempore of the  
16 Oklahoma State Senate and the Speaker of the Oklahoma House of  
17 Representatives.

18 SECTION 5. This act shall become effective November 1, 2013.  
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1 Passed the House of Representatives the 5th day of March, 2013.

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3 Presiding Officer of the House  
4 of Representatives

5 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2013.

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7 Presiding Officer of the Senate