ENGROSSED HOUSE
BILL NO. 1711

By: Thomsen, Henke, Hulbert and Cockroft of the House

and

Brecheen of the Senate

An Act relating to schools; establishing the School District Unfunded Mandate Relief Program; stating purpose; granting school districts certain deregulation options; requiring certain notification; directing the State Department of Education to annually create and publish a mandates list; specifying contents of the list; defining certain terms; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-129.21 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established the School District Unfunded Mandate Relief Program which shall be administered by the State Board of Education. The purpose of the program is to empower elected school district boards of education to escape unfunded and underfunded mandates created by state law and associated State Board of Education rules.

B. A board of education through adoption of a resolution may elect to deregulate from any unfunded or underfunded mandate and associated State Board of Education rule placed upon the school district by the Oklahoma Legislature as listed by the State Department of Education pursuant to subsection C of this section. The board of education shall notify the State Department of Education of each unfunded or underfunded mandate it has elected to deregulate from.

C. The State Department of Education shall annually create and publish a list of all state-created mandates, associated State Board of Education rules, the amount of funding necessary to implement each mandate and associated State Board of Education rule and the current level of funding provided by the Oklahoma Legislature to implement each mandate and associated State Board of Education rule. The list of all state created mandates, associated State Board of Education rules and funding levels shall be approved by the State Board of Education no later than June 30 of each fiscal year.

D. For purposes of this act, a state mandate shall be deemed underfunded if the level of funding provided by the Oklahoma Legislature is at or below seventy-five percent (75%) of the funding necessary to implement the mandate as determined by the State Board of Education.

E. For purposes of this act, a state mandate shall be deemed unfunded if the level of funding provided by the Oklahoma

Legislature is at zero percent (0%) of the funding necessary to implement the mandate as determined by the State Board of Education.

SECTION 2. This act shall become effective July 1, 2013.

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

Passed the House of Representatives the 11th day of March, 2013.

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Presiding Officer of the House
of Representatives

Passed the Senate the ___ day of _____, 2013.

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Presiding Officer of the Senate