

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1489

By: Ritze and Murphey

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8 COMMITTEE SUBSTITUTE

9 An Act relating to public finance; creating the
10 Modernization of Self-Defense Act Application Process
11 of 2013; amending 62 O.S. 2011, Sections 34.24.1 and
12 34.25, as amended by Sections 357 and 358, Chapter
13 304, O.S.L. 2012 (62 O.S. Supp. 2012, Sections
14 34.24.1 and 34.25), which relate to the Oklahoma
15 State Finance Act; modifying exemption process to
16 include certain license; exempting certain license
17 from convenience fee; providing for noncodification;
18 and providing an effective date.

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

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

22 This act shall be known and may be cited as the "Modernization
23 of Self-Defense Act Application Process of 2013".

24 SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.24.1, as
amended by Section 357, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
2012, Section 34.24.1), is amended to read as follows:

1 Section 34.24.1 A. Except as otherwise provided by this
2 section, as of July 1, 2010, each state agency, board, commission or
3 other entity organized within the executive department of state
4 government responsible for licensing or permitting shall utilize the
5 portal system to allow for a link to a web-based application and
6 renewal application for any license or permit issued by that agency.
7 Access to the online renewal systems shall be featured prominently
8 on the portal system.

9 B. Each entity responsible for licensing or permitting shall
10 make available to the Office of Management and Enterprise Services
11 on a yearly basis a report describing the number of licenses issued,
12 license renewals and permits issued as well as an estimate of the
13 amount of savings incurred by the entity as a result of the online
14 licensing and permitting process.

15 C. The Office of Management and Enterprise Services shall make
16 available to the public a copy of each report submitted in
17 accordance with the requirements of subsection B of this section by
18 placing the report on the website defined in Section 46 of this
19 title.

20 D. The Director of the Office of Management and Enterprise
21 Services may exempt a specific license or permit from the
22 requirements of this section should he find compelling evidence that
23 the issuance of the license or permit requires the provision of
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1 information that cannot be provided through an online licensing or
2 permitting process and when the failure of the applicant to provide
3 the information would create a significant risk to the integrity of
4 the license or permit. The Director of the Office of Management and
5 Enterprise Services shall document any exemptions issued pursuant to
6 the provisions of this subsection and describe the compelling
7 evidence justifying the need for the exemptions in a report to be
8 provided to the Governor, Speaker of the Oklahoma House of
9 Representatives and Speaker Pro Tempore of the State Senate. The
10 exception provided for in this subsection shall not apply to license
11 renewals pursuant to the Oklahoma Vehicle License and Registration
12 Act of Title 47 of the Oklahoma Statutes or to licenses issued
13 pursuant to the Oklahoma Self-Defense Act.

14 E. The state agencies may accept an electronic signature in the
15 application process for any license or permit; provided, the use of
16 an electronic signature shall not create a significant risk to the
17 integrity of the license or permit.

18 F. Nothing in this section shall apply to driver license
19 renewal applications.

20 SECTION 3. AMENDATORY 62 O.S. 2011, Section 34.25, as
21 amended by Section 358, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
22 2012, Section 34.25), is amended to read as follows:
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1 Section 34.25 A. Subject to review and adoption as outlined in
2 Section 34.27 of this title, a state agency, board, commission, or
3 authority is hereby authorized to charge a convenience fee for any
4 electronic or online transaction. A convenience fee shall apply to
5 electronic or online transactions only and shall not apply when
6 accessing information provided through state government websites.
7 If a state entity sets a convenience fee for electronic or online
8 transactions, the fee shall be reviewed by the State Governmental
9 Internet Applications Review Board as provided for in Section 34.27
10 of this title. Each state entity shall keep a record of how the
11 convenience fee has been determined and shall file the record with
12 the Information Services Division of the Office of Management and
13 Enterprise Services. A state agency, board, commission, or
14 authority may periodically adjust a convenience fee as needed upon
15 review and adoption as provided for in Section 34.27 of this title.

16 B. Licenses issued pursuant to the provisions of the Oklahoma
17 Self-Defense Act shall not be subject to a convenience fee as
18 authorized in subsection A of this section.

19 C. For purposes of this section, "convenience fee" shall mean a
20 charge that is necessary to process an electronic or online
21 transaction with a state agency, board, commission or authority.
22 The fee shall be limited to bank processing fees and financial
23 transaction fees, the cost of providing for secure transaction,
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1 portal fees, and fees necessary to compensate for increased
2 bandwidth incurred as a result of providing for an online
3 transaction.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL
7 SERVICES, dated 02/14/2013 - DO PASS, As Amended and Coauthored.
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