

1 **CORRECTED**

2 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

3 STATE OF OKLAHOMA

4 1st Session of the 54th Legislature (2013)

5 HOUSE BILL 1711

By: Thomsen of the House

6 and

7 Brecheen of the Senate

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11 AS INTRODUCED

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

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 3-129.21 of Title 70, unless
24 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

1 Board of Education. The purpose of the program is to empower
2 elected school district boards of education to escape unfunded and
3 underfunded mandates created by state law and associated State Board
4 of Education rules.

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

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

22 D. For purposes of this Act, a state mandate shall be deemed
23 underfunded if the level of funding provided by the Oklahoma
24 Legislature is at or below seventy-five percent (75%) of the funding

1 necessary to implement the mandate as determined by the State Board
2 of Education.

3 E. For purposes of this Act, a state mandate shall be deemed
4 unfunded if the level of funding provided by the Oklahoma
5 Legislature is at zero percent (0%) of the funding necessary to
6 implement the mandate as determined by the State Board of Education.

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

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

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13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
14 02/21/2013 - DO PASS, As Coauthored.

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