

1 **SENATE FLOOR VERSION**

2 February 27, 2013

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 596

By: Holt of the Senate

and

Murphey of the House

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9 [ state government - requiring evaluation of certain  
10 report in certain performance audits - codification -  
effective date ]

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

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

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

21 B. The Joint Committee on Accountability in Government pursuant  
22 to its procedures may conduct a performance investigation of a state  
23 agency to consider to what extent an agency has improved  
24 performance.

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

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

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

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

17 2. The agency's methodology for:

18 a determining its fee structure,

19 b calculating fees, and

20 c measuring customer satisfaction;

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

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

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

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

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

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

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

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
12 February 27, 2013 - DO PASS AS AMENDED  
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