

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3121 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. For purposes of the Governor's Transparency Act of 2015,
5 "state agency" shall have the same meaning pursuant to Section 3301
6 of Title 74 of the Oklahoma Statutes.

7 B. Upon the effective date of this act, a state agency entering
8 into a Memorandum of Understanding or Memorandum of Agreement with
9 any agency, department or any organization receiving appropriated
10 money, grants, contracts from the State of Oklahoma or any other
11 state or funds from the government of the United States shall
12 publish a report on its website and the documents.ok.gov website of
13 all Memorandums of Understanding or Memorandums of Agreement within
14 fifteen (15) business days of the Memorandum's effective date. The
15 report shall contain a detailed accounting of each Memorandum of
16 Understanding or Memorandum of Agreement which shall include:

17 1. The effective date of the Memorandum of Understanding or
18 Memorandum of Agreement;

19 2. The duration of the Memorandum of Understanding or
20 Memorandum of Agreement;

21 3. The entities subject to the Memorandum of Understanding or
22 Memorandum of Agreement;

1 4. The purpose of the Memorandum of Understanding or Memorandum
2 of Agreement; and

3 5. The constitutional or statutory provisions allowing for the
4 subject addressed in the Memorandum of Understanding or Memorandum
5 of Agreement.

6 C. When any state agency enters into a Memorandum of
7 Understanding or Memorandum of Agreement, and when the state
8 Legislature is in session, the state agency shall provide the chair
9 of the appropriate legislative committee, based on the subject
10 matter or agency executing the document, with a copy of the
11 Memorandum of Understanding or Memorandum of Agreement.

12 D. Provided, the state agency may not publish any such report
13 on a Memorandum of Understanding or Memorandum of Agreement that is
14 privileged under law pursuant to the Oklahoma Open Records Act.
15 However, a report shall still be published to indicate what entities
16 are subject to the privileged Memorandum of Understanding or
17 Memorandum of Agreement and its duration.

18 E. Memorandums of Understanding or Memorandums of Agreement
19 solely between departments or agencies of this state shall cite the
20 state constitutional or statutory authority granted for the subject
21 addressed in the Memorandum of Understanding or Memorandum of
22 Agreement. Memorandums of Understanding or Memorandums of Agreement
23 between any agencies, departments and any organizations receiving
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1 appropriated money, grants, contracts from the State of Oklahoma, or
2 any other state or funds from the government of the United States
3 shall cite the authority granted by federal or state statute and/or
4 in the Constitution of the United States as well as the Constitution
5 of the State of Oklahoma for the subject addressed in the Memorandum
6 of Understanding or Memorandum of Agreement.

7 SECTION 3. This act shall become effective November 1, 2015.

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9 COMMITTEE REPORT BY: COMMITTEE ON STATE GOVERNMENT OPERATIONS, dated
10 03/23/2015 - DO PASS, As Coauthored.