

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1541

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to the Office of Disability Concerns;  
8 amending 74 O.S. 2011, Section 9.22, which relates to  
9 powers and duties; amending 74 O.S. 2011, Section  
10 9.24, which relates to additional duties; amending 74  
11 O.S. 2011, Section 9.25, which relates to assistance  
12 of certain committees; amending 74 O.S. 2011, Section  
13 9.26, which relates to certain advisory committee;  
14 amending 74 O.S. 2011, Section 9.27, which relates to  
15 rules and regulations; amending 74 O.S. 2011, Section  
16 9.27A, which relates to certain program; amending 74  
17 O.S. 2011, Section 9.28, which relates to transfer of  
18 powers and duties; amending 74 O.S. 2011, Section  
19 9.29, which relates to certain program; amending 74  
20 O.S. 2011, Section 9.34, which relates to gifts and  
21 donations; transferring certain powers, duties,  
22 funds, administrative rules, obligations and other  
23 functions from the Office of Disability Concerns to  
24 the State Department of Rehabilitation Services and  
the State Department of Health; authorizing  
Department to enter into certain agreements for  
certain purposes; directing promulgation of rules;  
repealing 74 O.S. 2011, Sections 9.21, 9.23 and 9.33,  
which relate to the Office of Disability Concerns;  
providing for codification; providing an effective  
date; and declaring an emergency.

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

26 SECTION 1. AMENDATORY 74 O.S. 2011, Section 9.22, is  
27 amended to read as follows:

1 Section 9.22. The ~~Office of Disability Concerns~~ State  
2 Department of Rehabilitation Services shall have the following  
3 powers and duties:

4 1. To identify the needs of people with disabilities on a  
5 continuing basis and to attempt to meet those needs;

6 2. To serve as a referral and information source for people  
7 with disabilities seeking services and for agencies seeking  
8 assistance in their provision of services;

9 3. To generate community awareness and support of programs for  
10 people with disabilities;

11 4. To advise and assist the Governor and the Legislature in  
12 developing policies to meet the needs of people with disabilities;  
13 and

14 5. To assist agencies in meeting the requirements of Public Law  
15 93-112, and subsequent amendments thereto, as the same pertain to  
16 people with disabilities.

17 SECTION 2. AMENDATORY 74 O.S. 2011, Section 9.24, is  
18 amended to read as follows:

19 Section 9.24. The ~~Office of Disability Concerns~~ State  
20 Department of Rehabilitation Services shall be responsible for the  
21 following duties:

22 1. To carry out the responsibilities of the Governor's Advisory  
23 Committee on Employment of People with Disabilities;

1           2. To provide referral assistance, continuing needs assessment  
2 and to advise and assist private and public agencies in statewide  
3 policy development concerning people with disabilities; and

4           3. To implement the provisions of Public Law 93-112, and  
5 subsequent amendments thereto, as such pertain to people with  
6 disabilities.

7           SECTION 3.           AMENDATORY           74 O.S. 2011, Section 9.25, is  
8 amended to read as follows:

9           Section 9.25. ~~The Office of Disability Concerns~~ State  
10 Department of Rehabilitation Services shall be assisted by the  
11 Governor's Advisory Committee on Employment of People with  
12 Disabilities and the Governor's Advisory Committee to the ~~Office of~~  
13 ~~Disability Concerns~~ Department.

14           SECTION 4.           AMENDATORY           74 O.S. 2011, Section 9.26, is  
15 amended to read as follows:

16           Section 9.26. The Governor's Advisory Committee to the ~~Office~~  
17 ~~of Disability Concerns~~ State Department of Rehabilitation Services  
18 shall be composed of forty (40) members who shall be appointed by  
19 the Governor. Such members shall serve at the pleasure of the  
20 Governor. Twenty of such members shall be people with disabilities  
21 or the parents of people with disabilities. All members of the  
22 Committee traveling on authorized state business may be reimbursed  
23 for expenses incurred in such travel in accordance with the State  
24 Travel Reimbursement Act, Section 500.1 et seq. of this title.

1 SECTION 5. AMENDATORY 74 O.S. 2011, Section 9.27, is  
2 amended to read as follows:

3 Section 9.27. The ~~Office of Disability Concerns~~ Commission of  
4 Rehabilitation Services is hereby authorized to make necessary rules  
5 and regulations to carry out the provisions of this act.

6 SECTION 6. AMENDATORY 74 O.S. 2011, Section 9.27A, is  
7 amended to read as follows:

8 Section 9.27A. The ~~office~~ State Department of Health is hereby  
9 authorized to conduct the Client Assistance Program for the State of  
10 Oklahoma under the terms of Section 112 of the Rehabilitation Act of  
11 1973 as amended as long as federal funds are available. The ~~office~~  
12 Department is authorized to pursue legal and administrative remedies  
13 necessary to operate this program.

14 SECTION 7. AMENDATORY 74 O.S. 2011, Section 9.28, is  
15 amended to read as follows:

16 Section 9.28. All the powers, duties, functions, records,  
17 employees, property, matters pending and funds of the Governor's  
18 Advisory Committee on Employment of People with Disabilities are  
19 hereby transferred to the ~~Office of Disability Concerns~~ State  
20 Department of Rehabilitation Services.

21 SECTION 8. AMENDATORY 74 O.S. 2011, Section 9.29, is  
22 amended to read as follows:

23 Section 9.29. There is hereby created within the ~~Office of~~  
24 ~~Disability Concerns~~ State Department of Rehabilitation Services a

1 division for "The Governor's Advisory Committee on Employment of  
2 People with Disabilities".

3 SECTION 9. AMENDATORY 74 O.S. 2011, Section 9.34, is  
4 amended to read as follows:

5 Section 9.34. ~~The Office of Disability Concerns~~ State  
6 Department of Rehabilitation Services shall accept, hold in trust,  
7 and authorize the use of any grant or devise of land, or any  
8 donations or bequests of money or other personal property made to  
9 the Office so long as the terms of the grant, donation, bequest or  
10 will are carried out. ~~The Office~~ Department may invest and reinvest  
11 any funds and money, lease, or sell any real or personal property,  
12 and invest the proceeds for the purpose of promoting the well-being  
13 of people with disabilities unless prohibited by the terms of the  
14 grant, donation, bequest, gift, or will. If, due to circumstances,  
15 the requests of the person or persons making the grant, donation,  
16 bequest, gift, or will cannot be carried out, ~~the Office~~ Department  
17 shall have the authority to use the remainder thereof for the  
18 purposes of this act. Said funds shall be deposited to the  
19 revolving fund to carry out the provisions of this act. Such gifts,  
20 donations, bequests, or grants shall be exempt for tax purposes.  
21 ~~The Office~~ Department shall report annually to the Governor all  
22 monies and properties received and expended by virtue of this  
23 section.  
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1           SECTION 10.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 166.13 of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. On July 1, 2016, all powers, duties, employees, functions,  
5 and responsibilities of the Office of Disability Concerns shall be  
6 transferred to the State Department of Rehabilitation Services. The  
7 transfer shall include all equipment, supplies, records, assets,  
8 current and future liabilities, fund balances, encumbrances,  
9 obligations, and indebtedness associated with the Office of  
10 Disability Concerns.

11           B. Any monies accruing to or in the name of the Office of  
12 Disability Concerns on and after the effective date of this act, or  
13 any monies that accrue in any funds or accounts or are maintained  
14 for the benefit of the Office on and after the effective date of  
15 this act shall be transferred to the State Department of  
16 Rehabilitation Services.

17           C. The State Department of Rehabilitation Services shall  
18 succeed to any contractual rights and responsibilities incurred by  
19 the Office of Disability Concerns.

20           D. The Director of the Office of Management and Enterprise  
21 Services is hereby directed to coordinate the transfer of funds,  
22 allotments, purchase orders, and outstanding financial obligations  
23 or encumbrances as provided for in this section.  
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1 SECTION 11. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 166.14 of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

4 Effective July 1, 2016, all administrative rules promulgated by  
5 the Office of Disability Concerns shall be transferred to and become  
6 a part of the administrative rules of the State Commission of  
7 Rehabilitation Services. The Office of Administrative Rules in the  
8 Secretary of State's office shall provide adequate notice in the  
9 Oklahoma Register of the transfer of such rules, and shall place the  
10 transferred rules under the Administrative Code section of the State  
11 Commission of Rehabilitation Services. Such rules shall continue in  
12 force and effect as rules of the office of the Commission from and  
13 after July 1, 2016, and any amendment, repeal or addition to the  
14 transferred rules shall be under the jurisdiction of the Commission.

15 SECTION 12. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 166.15 of Title 74, unless there  
17 is created a duplication in numbering, reads as follows:

18 The State Commission of Rehabilitation Services is hereby  
19 authorized and directed to enter into agreements and to contract for  
20 the provision of services and programs pursuant to the provisions of  
21 P.L. 93-112. Any program providing services pursuant to a contract  
22 or subcontract with the State Department of Rehabilitation Services  
23 and receiving funds from the Department or any contractor with the  
24

1 Department shall be subject to the provisions of the administrative  
2 rules of the State Commission of Rehabilitation Services.

3 SECTION 13. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 166.16 of Title 74, unless there  
5 is created a duplication in numbering, reads as follows:

6 The Commission on Rehabilitation Services shall promulgate rules  
7 to implement the provisions of this act.

8 SECTION 14. REPEALER 74 O.S. 2011, Sections 9.21, 9.23  
9 and 9.33, are hereby repealed.

10 SECTION 15. This act shall become effective July 1, 2016.

11 SECTION 16. It being immediately necessary for the preservation  
12 of the public peace, health and safety, an emergency is hereby  
13 declared to exist, by reason whereof this act shall take effect and  
14 be in full force from and after its passage and approval.

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