

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1230 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: David Brumbaugh _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1230

By: Quinn

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to counties and county officers;
10 amending 19 O.S. 2011, Sections 1408, 1411, 1412 and
11 1414, which relate to the County Budget Act;
12 modifying preparation of budget; defining term;
13 declaring fund balances be treated as revenue;
14 requiring independent estimates; authorizing hiring
15 of staff; modifying budget summaries; providing Board
16 oversight of county budget; and providing an
17 effective date.

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

19 SECTION 1. AMENDATORY 19 O.S. 2011, Section 1408, is
20 amended to read as follows:

21 Section 1408. The county budget board shall prepare for each
22 budget year a budget for each fund ~~whose activities require funding~~
23 ~~through appropriation from the budget board~~ for which there is a
24 reasonably anticipated fund balance or revenues. The county budget
shall include each fund for which any department head or elected
official has spending authority, irrespective of the fund type or

1 whether or not the fund is, either by law or accredited budgeting
2 standards, subject to appropriation.

3 SECTION 2. AMENDATORY 19 O.S. 2011, Section 1411, is
4 amended to read as follows:

5 Section 1411. A. On or before a date set by the county budget
6 board, the county excise board shall provide a tentative estimate of
7 anticipated revenues from all sources, classified by funds, for the
8 succeeding fiscal year. For the purposes of this section, "all
9 sources" means any reasonably anticipated revenue for any fund of
10 any department or elected office within the county. For the
11 purposes of the County Budget Act, fund balances shall be treated as
12 revenue. The county excise board shall arrive at the tentative
13 estimates independently. In furtherance of this requirement and the
14 other requirements of the county excise board, the county excise
15 board is authorized to hire appropriate staffing on either a
16 permanent, full-time, part-time, temporary, or contract basis. The
17 county budget board shall include in its annual budget sufficient
18 funds for these purposes.

19 B. On or before a date set by the county budget board, each
20 officer, board or commission and all employees charged with the
21 management or control of any department or office, as determined by
22 the county budget board, shall prepare for the succeeding fiscal
23 year, on forms provided by the budget board, estimated revenues and
24 expenditures of the department or office. The county budget board

1 may require such additional statistics or financial statements from
2 county officers or others to enable it to ascertain fiscal
3 conditions and needs. The information as to estimated revenues is
4 supplementary and is not intended to equal estimated expenditures.
5 The information required from each department, office, board or
6 commission shall be set forth in tabular form, as follows:

- 7 1. Actual revenues and expenditures in the immediate prior
8 fiscal year;
- 9 2. Budget estimates for the current fiscal year;
- 10 3. Actual revenues and expenditures for a period of six (6) to
11 (9) nine months, as appropriate, of the current fiscal year;
- 12 4. Estimated actual revenues and expenditures for the current
13 fiscal year; and
- 14 5. Estimated revenues and proposed expenditures for the budget
15 year.

16 C. The budget board shall estimate, on the basis of
17 demonstrated need, the expenditures for the budget year after a
18 review of the budget requests and estimates of the department heads,
19 officers, boards or commissions. Each such official shall be heard
20 by the budget board prior to making of its final estimates, but
21 thereafter it may revise any estimates as deemed advisable before
22 finalizing the proposed budget for each fund.

23 SECTION 3. AMENDATORY 19 O.S. 2011, Section 1412, is
24 amended to read as follows:

1 Section 1412. The county budget board shall hold a public
2 hearing on the proposed budget no later than fifteen (15) days prior
3 to the beginning of the budget year. Notice of the date, time and
4 place of the hearing, together with the proposed budget summaries,
5 shall be published in a newspaper of general circulation in the
6 county not less than five (5) days before the date of the hearing.
7 Affidavit and proof of publication shall be attached to the budget
8 when filed with the county excise board and State Auditor and
9 Inspector. The county clerk shall make available a sufficient
10 number of copies of the proposed budgets as the county budget board
11 shall determine and have them available for review or for
12 distribution or sale at the office of the county clerk. At the
13 public hearing on the budgets, any person may present to the county
14 budget board comments, recommendations or information on any part of
15 the proposed budget. Budget summaries shall be grouped by
16 department or elected office and shall include beginning fund
17 balances for each department or elected office and for the county as
18 a whole.

19 SECTION 4. AMENDATORY 19 O.S. 2011, Section 1414, is
20 amended to read as follows:

21 Section 1414. A. In addition to any other powers and duties
22 granted to the county excise board in this act, the board shall act
23 in an oversight capacity with respect to the county budget. The
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1 county excise board shall examine the county budgets. The excise
2 board may take the following actions on the budgets:

3 1. For any items or amounts which are not authorized by law or
4 which may be contrary to law, the unlawful amounts or items shall be
5 stricken and disregarded;

6 2. Any amount which exceeds the lawful amount authorized by law
7 shall be reduced to the extent authorized by law;

8 3. If any items or amounts are mandated by law and not provided
9 for the county excise board shall return the budget to the county
10 budget board to revise the budget to provide for the mandated items
11 or amounts. The county budget board shall revise or amend the
12 budget as needed and resubmit the budget within fifteen (15) days of
13 the return by the excise board;

14 4. If any portion of the budget of revenues to be derived from
15 ad valorem property tax exceeds the amount of tax which is available
16 for appropriation, as finally determined and computed by the county
17 excise board, the excise board shall return the budget to the county
18 budget board to revise or amend the budget as needed and resubmit
19 the budget within fifteen (15) days of the return by the excise
20 board;

21 5. If any reduction or amendment in the budget is required by
22 the computations of Section 3017 of Title 68 of the Oklahoma
23 Statutes, the county excise board shall note these and return the
24 budget to the county budget board to revise or amend the budget as

1 needed and resubmit the budget within fifteen (15) days from the
2 date of the return by the excise board; and

3 6. If the budget is within the income and revenues lawfully
4 available, the excise board shall approve the budget and compute the
5 levy required.

6 B. At the time required by law, the county excise board shall
7 compute the appropriations and levy the taxes necessary for the
8 county for the budget year in accordance with this act and Section
9 3017 of Title 68 of the Oklahoma Statutes.

10 C. The secretary of the county excise board shall certify the
11 approved budget to the county budget board, the county treasurer and
12 the State Auditor and Inspector. A copy of the budget as adopted
13 and approved by the excise board shall be filed in the offices of
14 the county clerk, the secretary of the county excise board and the
15 State Auditor and Inspector.

16 SECTION 5. This act shall become effective November 1, 2013.

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18 54-1-7139 LRB 02/19/13

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