

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 799

By: Leewright

COMMITTEE SUBSTITUTE

An Act relating to Oklahoma Art In Public Places Act;
amending 74 O.S. 2011, Section 9030.5, as amended by
Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp.
2020, Section 9030.5), which relates to allocation of
funds for art in public places; exempting certain
agency for maintenance and certain repairs and
remodels; clarifying new construction project
allocation of funds; providing an effective date; and
declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 9030.5, as
amended by Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2020,
Section 9030.5), is amended to read as follows:

Section 9030.5. A. 1. Except as otherwise provided by
subsection C of this section, all state agencies, including
institutions within The Oklahoma State System of Higher Education,
all state departments, boards, councils, and commissions shall
allocate, as a nondeductible item out of any expenditures for
capital projects including, but not limited to, bond issues for

1 state construction excluding costs for bond issuance and related
2 reserves, an amount of one and one-half percent (1 1/2%) of the
3 expenditure to the Oklahoma Arts Council for the purpose of funding
4 the Oklahoma Art in Public Places Act, except as otherwise provided
5 by subsection B of this section.

6 2. The maximum assessment for any project shall not exceed Five
7 Hundred Thousand Dollars (\$500,000.00). This assessment shall not
8 apply to any private donations for a capital project. This
9 allocation shall be applicable to all state agency capital projects
10 approved by the appointing authority after September 1, 2004. The
11 works of art commissioned pursuant to the Oklahoma Art in Public
12 Places Act may be placed on public lands, integral to or attached to
13 a public building or structure, or detached within or outside a
14 public building or structure.

15 B. 1. Of the assessment provided for in subsection A of this
16 section, four-fifths (4/5) shall be placed in the Commissioning of
17 Art in Public Places Revolving Fund, created in Section 9030.6 of
18 this title, for the commission of any work of art for the Oklahoma
19 Art in Public Places Act. Institutions within The Oklahoma State
20 System of Higher Education shall remain in complete administrative
21 control of their four-fifths (4/5) assessment pursuant to this
22 subsection for the acquisition of art. The remaining one-fifth
23 (1/5) of the assessment shall be reserved for the Art in Public
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1 Places Administrative and Maintenance Revolving Fund created by
2 Section 9030.7 of this title.

3 2. Monies deposited in the Art in Public Places Administrative
4 and Maintenance Revolving Fund for the purpose of this moratorium,
5 shall be used for continued administration, educational costs, and
6 maintenance.

7 C. The provisions of subsection A of this section shall not be
8 applicable for the ~~fiscal years ending:~~

9 ~~1. June 30, 2012;~~

10 ~~2. June 30, 2013; and~~

11 ~~3. June 30, 2014~~ Department of Tourism when budgeting,
12 contracting for and performing routine maintenance, repairs,
13 remodels or pre-fabrication installations for existing state park
14 lodges, buildings and structures; however, all new construction
15 projects shall be required to comply with the provisions of
16 subsection A of this section.

17 SECTION 2. This act shall become effective July 1, 2021.

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

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