

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1061

By: Boles of the House

5 and

6 **Paxton** of the Senate

7
8
9 AS INTRODUCED

10 **[public finance - prohibiting certain funds in the**
11 **Canceled Warrant Fund from being transferred into**
12 **the General Revenue Fund - effective date]**

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

16 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.80, as
17 amended by Section 400, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
18 2020, Section 34.80), is amended to read as follows:

19 Section 34.80 A. All warrants, checks or orders issued by the
20 State Treasurer against claims submitted through the Office of
21 Management and Enterprise Services in payment of obligations of the
22 state which shall for any cause remain outstanding or unpaid for a
23 period of ninety (90) days after funds are available for their
24 payment shall be revoked and canceled.

1 B. Such warrants, checks or orders shall be entered into the
2 records of the Office of Management and Enterprise Services and the
3 State Treasurer and the administrative head of the agency certifying
4 the claim for payment shall be notified that such items have been
5 canceled.

6 C. If, for any reason, a warrant should not be issued to
7 replace a warrant canceled pursuant to the provisions of this
8 section, the administrative head of the agency originally certifying
9 the claim for payment shall, within seven (7) days after
10 notification of the cancellation, advise the Director of the Office
11 of Management and Enterprise Services that a reissue should not be
12 made.

13 D. Notwithstanding the provisions of subsection B of this
14 section, warrants issued or caused to be issued by the Department of
15 Human Services for public assistance or medical assistance may be
16 reissued at any time within three (3) years after cancellation upon
17 submission of the canceled warrants to the Department.

18 E. No canceled warrants shall be paid, except that the holder
19 of any warrant that may have been canceled pursuant to the
20 provisions of this section may, within thirty-six (36) months
21 following the month in which the warrant was canceled, present the
22 warrant or an affidavit of loss or destruction, and a request for
23 reissuance to the Director of the Office of Management and
24 Enterprise Services.

1 F. The Director of the Office of Management and Enterprise
2 Services shall certify a claim as needed for payment of those
3 verified unpaid requests presented, unless the certifying agency has
4 advised that a reissuance should not be made.

5 G. 1. There is hereby created in the State Treasury a fund to
6 be known as the Canceled Warrant Fund.

7 2. The Director of the Office of Management and Enterprise
8 Services shall transfer to the Canceled Warrant Fund the total of
9 the payable amounts of the warrants canceled pursuant to the
10 provisions of this section from the funds and accounts against which
11 the canceled warrants had been drawn.

12 3. The Office of Management and Enterprise Services shall
13 disburse from the fund such amounts as necessary to pay warrants
14 reissued as provided in this section.

15 4. These expenditures shall remain recorded in the funds and
16 accounts against which the original canceled warrants were issued
17 and they shall not be considered expenses of the state nor shall
18 receipts to the fund be considered revenue to the state.

19 5. Any such claim drawn against the Canceled Warrant Fund shall
20 identify the current holder of record and the warrant number of the
21 canceled warrant, which shall be provided on the warrant record.

22 H. The Director of the Office of Management and Enterprise
23 Services shall determine the minimum necessary balance to be
24 maintained in the Canceled Warrant Fund and on the third Monday of

1 October shall transfer the amount in excess of the required minimum
2 balance to the General Revenue Fund of the current year. The
3 minimum balance retained shall be not less than the total amount of
4 the warrants canceled by statute within the past thirty-six (36)
5 months preceding October 1 of each year and which remain eligible
6 for replacement according to the records of the Office of Management
7 and Enterprise Services. Provided, funds in the Canceled Warrant
8 Fund due to the cancellation of warrants from the Crime Victims
9 Compensation Fund shall be transferred to the Crime Victims
10 Compensation Fund and not to the General Revenue Fund.

11 SECTION 2. This act shall become effective November 1, 2021.
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13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
14 02/18/2021 - DO PASS, As Amended and Coauthored.
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