

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 2462

 By: Lowe (Dick) of the House

5 and

6 **Howard** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to state government; amending 74 O.S.
11 2011, Section 500.2, as last amended by Section 1,
12 Chapter 194, O.S.L. 2019 (74 O.S. Supp. 2020, Section
13 500.2), which relates to reimbursable expenses;
14 authorizing the State Department of Education to
15 contract for specified goods and services; permitting
16 establishment of accounts; providing for direct
17 payment; and declaring an emergency.

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

19 SECTION 1. AMENDATORY 74 O.S. 2011, Section 500.2, as
20 last amended by Section 1, Chapter 194, O.S.L. 2019 (74 O.S. Supp.
21 2020, Section 500.2), is amended to read as follows:

22 Section 500.2 A. Officials and employees of the state,
23 traveling on authorized state business, may be reimbursed for
24 expenses incurred in such travel in accordance with the provisions
 of the State Travel Reimbursement Act and existing statutes relating

1 to state travel. Persons who are not state employees, but who are
2 performing substantial and necessary services to the state which
3 have been directed or approved by the appropriate department
4 official shall enjoy the protection of the sovereign immunity of the
5 state to the same extent as a paid employee. Such persons may be
6 reimbursed for expenses incurred during authorized official travel
7 under these same statutory provisions, provided it is indicated on
8 the claim the person is not a state employee, a description of
9 services performed is entered, and the agency head by approval of
10 the claim certifies such services were substantial and necessary,
11 and germane to the duties and functions of the reimbursing agency.
12 Travel expenses incurred by a person during the course of seeking
13 employment with a state agency, unless such travel is performed at
14 the request of the employing agency, shall not be considered
15 expenses incurred in performing substantial and necessary services
16 to the state and shall not be reimbursed under the provisions of the
17 State Travel Reimbursement Act.

18 B. The chief administrative officer of the Department of Public
19 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
20 State Bureau of Narcotics and Dangerous Drugs Control, the Military
21 Department of the State of Oklahoma, the Department of Corrections,
22 the Office of Management and Enterprise Services, the Alcoholic
23 Beverage Laws Enforcement Commission, the Oklahoma Department of
24 Agriculture, Food, and Forestry, the Oklahoma Department of

1 Emergency Management, the State Fire Marshal, and the State
2 Department of Health may arrange for and charge meals and lodging
3 for a contingent of state personnel moved into an area for the
4 purpose of preserving the public health, safety, or welfare or for
5 the protection of life or property. The cost for meals or lodging
6 so charged shall not exceed the amount authorized in the State
7 Travel Reimbursement Act. The chief administrative officer of each
8 agency involved in such an operation shall require the vendor
9 furnishing meals, lodging, or both meals and lodging to submit an
10 itemized statement for payment. When a claim for lodging is made
11 for a contingent of state personnel, individual members of the
12 contingent may not submit a claim for lodging. When a claim for
13 meals is made for a contingent of state personnel, individual
14 members of the contingent may not submit a claim for meals.

15 C. The Oklahoma Department of Commerce, the Oklahoma Center for
16 the Advancement of Science and Technology, and the Oklahoma
17 Department of Agriculture, Food, and Forestry are hereby authorized
18 to enter into contracts and agreements for the payment of food,
19 lodging, meeting facility and beverage expenses as may be necessary
20 for sponsoring seminars and receptions relating to economic
21 development and science and technology issues. Such expenses may be
22 paid directly to the contracting agency or business establishment.
23 The Director of the Oklahoma Department of Commerce, the President
24 of the Oklahoma Center for the Advancement of Science and

1 Technology, and the Commissioner of Agriculture shall each provide a
2 quarterly report of such expenditures to the Governor, the Speaker
3 of the House of Representatives and the President Pro Tempore of the
4 Senate.

5 D. The Native American Cultural and Educational Authority is
6 hereby authorized to enter into contracts and agreements for the
7 payment of food, lodging, and meeting facility as may be necessary
8 to pursue the promotion of fundraising, marketing, and development
9 of Native American educational programs and cultural projects, or to
10 sponsor luncheons, seminars, and receptions relating to Native
11 American educational, cultural, museum, and economic development
12 issues. Such expenses may be paid directly to the contracting
13 agency or business establishment. The Executive Director of the
14 Native American Cultural and Educational Authority shall provide a
15 monthly report of expenditures to the Native American Cultural and
16 Educational Authority Board.

17 E. For purposes of this section:

18 1. "State agency" means any constitutionally or statutorily
19 created state board, commission, or department, including the
20 Legislature and the Courts;

21 2. State agencies are authorized to enter into contracts and
22 agreements for the payment of food and lodging expenses as may be
23 necessary for employees or other persons who are performing
24 substantial and necessary services to the state by attending

1 official conferences, meetings, seminars, workshops, or training
2 sessions or in the performance of their duties. Such expenses may
3 be paid directly to the contracting agency or business
4 establishment, provided the meeting qualifies for overnight travel
5 for the employees and the cost for food and lodging for each
6 employee shall not exceed the total daily rate as provided in the
7 State Travel Reimbursement Act;

8 3. State agencies are authorized to enter into contracts and
9 agreements for the payment of conference registration expenses as
10 may be necessary for employees or other persons who are performing
11 substantial and necessary services to the state by attending
12 official conferences, meetings, seminars, workshops, or training
13 sessions. Such expenses may be paid directly to the contracting
14 agency or business establishment; and

15 4. State agencies are authorized to enter into contracts and
16 agreements for the payment of food and lodging expenses as may be
17 necessary for employees attending an official course of instruction
18 or training conducted or sponsored by any state agency. Expenses
19 may be paid directly to the contracting agency or business
20 establishment. The cost for food and lodging for each employee
21 shall not exceed the total daily rate as provided in the State
22 Travel Reimbursement Act.

23 F. State agencies are authorized to make direct purchases of
24 commercial airline tickets for use by employees in approved out-of-

1 state travel. Each claim or invoice submitted to the Director of
2 the Office of Management and Enterprise Services for the payment of
3 the purchase shall bear the airline identifying ticket number, the
4 name of the airline, total cost of each ticket purchased, class of
5 accommodation and name of the employee for whom the ticket was
6 purchased, and shall be filed on claim forms as prescribed by the
7 Director of the Office of Management and Enterprise Services. The
8 employee shall sign an affidavit stating that the employee used a
9 direct purchase commercial airline ticket received for his or her
10 approved out-of-state travel, or in lieu of the affidavit, the
11 employee may file a travel claim in connection with said airline
12 flight.

13 G. 1. The Director of the Office of Management and Enterprise
14 Services is hereby authorized to enter into contracts and agreements
15 for the payment of food, lodging, and other authorized expenses as
16 may be necessary to host, conduct, sponsor, or participate in
17 conferences, meetings, or training sessions. The Director may
18 establish accounts as necessary for the collection and distribution
19 of funds, including funds of sponsors and registration fees, related
20 to such conferences, meetings, and training sessions. Expenses
21 incurred may be paid directly to the contracting agency or business
22 establishment.

23 2. The cost of food for persons attending any conferences,
24 meetings, and training sessions that do not require overnight travel

1 shall not exceed the total daily rate as provided in the State
2 Travel Reimbursement Act.

3 H. 1. The Commissioner of the Department of Mental Health and
4 Substance Abuse Services is hereby authorized to enter into
5 contracts and agreements for the payment of food, lodging, and other
6 authorized expenses as may be necessary to host, conduct, sponsor,
7 or participate in conferences, meetings, or training sessions. The
8 Commissioner may establish accounts as necessary for the collection
9 and distribution of funds, including funds of sponsors and
10 registration fees, related to such conferences, meetings, and
11 training sessions. Any expenses incurred may be paid directly to
12 the contracting agency or business establishment.

13 2. The cost of food for persons attending any conferences,
14 meetings, and training sessions that do not require overnight travel
15 shall not exceed the total daily rate as provided in the State
16 Travel Reimbursement Act.

17 I. The Oklahoma Indigent Defense System is hereby authorized to
18 enter into contracts and agreements for the payment of lodging as
19 necessary for employees to carry out their duties in representing
20 any client whom the System has been properly appointed to represent.
21 Such expenses may be paid directly to the contracting agency or
22 business establishment. The cost for lodging for each employee
23 shall not exceed the daily rate as provided in the State Travel
24 Reimbursement Act.

1 J. The Oklahoma Tourism and Recreation Department is hereby
2 authorized to enter into contracts and agreements for the payment of
3 food, lodging, and meeting facility and beverage expenses as may be
4 necessary for seminars and receptions relating to familiarization
5 tours and tourism development. The expenses may be paid directly to
6 the contracting agency or business establishment. The Executive
7 Director of the Oklahoma Tourism and Recreation Department shall
8 provide a monthly report of any such expenditures to the Oklahoma
9 Tourism and Recreation Commission.

10 K. The Oklahoma Tourism and Recreation Department is hereby
11 authorized to enter into contracts and agreements for the payment of
12 exhibitor fees and display space charges at expositions to promote
13 the Department's recreational facilities and the tourism and
14 recreation industry. The expenses may be paid directly to the
15 contracting agency or business establishment; provided that no
16 payment shall be made prior to the event unless it conveys a
17 property right to the state for future availability and use.

18 L. 1. The Oklahoma Highway Safety Office of the Department of
19 Public Safety is hereby authorized to enter into contracts and
20 agreements for the payment of food, lodging, and other authorized
21 expenses as may be necessary, to host, conduct, sponsor, or
22 participate in highway-safety-related conferences, workshops,
23 seminars, meetings, or training sessions. The payments shall be for
24 all persons in attendance, including, but not limited to, employees

1 of political subdivisions or employees of the state or federal
2 government. For purposes specified in this paragraph, only federal
3 highway safety funds may be used in accordance with federal
4 guidelines and regulations, and no appropriated state funds shall be
5 used.

6 2. The cost of food for persons attending any highway safety
7 conferences, workshops, seminars, meetings, and training sessions
8 that do not require overnight travel shall not exceed the total
9 daily rate as provided in the State Travel Reimbursement Act.

10 M. 1. The Director of the Oklahoma State Bureau of
11 Investigation is hereby authorized to enter into contracts and
12 agreements for the payment of food, lodging and other authorized
13 expenses as may be necessary to host, conduct, sponsor or
14 participate in any conference, meeting, training session or
15 initiative to promote the mission and purposes of the Bureau. The
16 payments may be for all persons in attendance, including, but not
17 limited to, employees of political subdivisions or employees of the
18 state or federal government.

19 2. The cost of food for persons that do not require overnight
20 travel shall not exceed the total daily rate as provided in the
21 State Travel Reimbursement Act.

22 N. The Oklahoma Homeland Security Director is hereby authorized
23 to enter into contracts and agreements for the payment of food,
24 lodging and other authorized expenses as may be necessary to host,

1 conduct, sponsor, or participate in homeland-security-related
2 conferences, meetings, workshops, seminars, exercises or training
3 sessions. The expenses may be paid directly to the contracting
4 agency or business establishment.

5 O. The State Department of Education is hereby authorized to
6 enter into contracts and agreements for the payment of food, lodging
7 and other authorized expenses as may be necessary to host, conduct,
8 sponsor or participate in conferences, meetings or training
9 sessions. The State Department of Education may establish accounts
10 as necessary for the collection and distribution of funds, including
11 funds of sponsors and registration fees, related to such
12 conferences, meetings and training sessions. Any expenses incurred
13 may be paid directly to the contracting agency or business
14 establishment.

15 P. 1. The Insurance Commissioner of the Insurance Department
16 of the State of Oklahoma is hereby authorized to enter into
17 contracts and agreements for the payment of food, lodging, and other
18 authorized expenses as may be necessary to host, conduct, sponsor,
19 or participate in conferences, meetings, or training sessions. The
20 Commissioner may establish accounts as necessary for the collection
21 and distribution of funds, including funds of sponsors and
22 registration fees, related to such conferences, meetings, and
23 training sessions. Any expenses incurred may be paid directly to
24 the contracting agency or business establishment.

1 2. The cost of food for persons attending any conferences,
2 meetings, and training sessions that do not require overnight travel
3 shall not exceed the total daily rate as provided in the State
4 Travel Reimbursement Act.

5 ~~P.~~ Q. 1. The State Regents for Higher Education is hereby
6 authorized to enter into contracts and agreements for the payment of
7 food, lodging, and other authorized expenses as may be necessary to
8 host, conduct, sponsor, or participate in conferences, meetings, or
9 training sessions. The State Regents for Higher Education may
10 establish accounts as necessary for the collection and distribution
11 of funds, including funds of sponsors and registration fees, related
12 to such conferences, meetings, and training sessions. Any expenses
13 incurred may be paid directly to the contracting agency or business
14 establishment.

15 2. The cost of food for persons attending any conferences,
16 meetings, and training sessions that do not require overnight travel
17 shall not exceed the total daily rate as provided in the State
18 Travel Reimbursement Act.

19 ~~Q.~~ R. 1. The Office of Educational Quality and Accountability
20 is hereby authorized to enter into contracts and agreements for the
21 payment of food, lodging, and other authorized expenses as may be
22 necessary to host, conduct, sponsor, or participate in conferences,
23 meetings, or training sessions. The Office of Educational Quality
24 and Accountability may establish accounts as necessary for the

1 collection and distribution of funds, including funds of sponsors
2 and registration fees, related to such conferences, meetings, and
3 training sessions. Any expenses incurred may be paid directly to
4 the contracting agency or business establishment.

5 2. The cost of food for persons attending any conferences,
6 meetings, and training sessions that do not require overnight travel
7 shall not exceed the total daily rate as provided in the State
8 Travel Reimbursement Act.

9 ~~R.~~ S. 1. The Department of Securities is hereby authorized to
10 enter into contracts and agreements for the payment of food,
11 lodging, meeting facility, facilitator fees and travel expenses,
12 exhibitor fees and other authorized expenses as may be necessary to
13 host, conduct, sponsor or participate in conferences, meetings,
14 training sessions or initiatives promoting or otherwise relating to
15 investor education. The Department of Securities may establish
16 accounts as necessary for the collection and distribution of funds,
17 including funds of sponsors and registration fees, relating to such
18 conferences, meetings, training sessions or initiatives. The
19 payments may be for all persons in attendance, including, but not
20 limited to, employees of the state or federal government or
21 employees of political subdivisions of the state, including
22 employees of boards of public education. Expenses incurred may be
23 paid directly to the contracting agency or business establishment.

1 2. The cost of food for persons attending any conferences,
2 meetings and training sessions that do not require overnight travel
3 shall not exceed the total daily rate as provided in the State
4 Travel Reimbursement Act.

5 3. The Department of Securities is hereby authorized to pay
6 stipends to teachers participating in the investor education program
7 and monetary achievement awards to select participating students.
8 No appropriated state funds shall be used.

9 ~~S. T.~~ 1. The Oklahoma Department of Veterans Affairs is hereby
10 authorized to enter into contracts and agreements for the payment of
11 food, lodging, meeting facility, beverage and other authorized
12 expenses as may be necessary to host, conduct, sponsor or
13 participate in seminars, receptions, conferences, meetings or
14 training sessions relating to the support of veterans and the
15 development of veterans' services. Expenses incurred may be paid
16 directly to the contracting agency or business establishment. The
17 Executive Director of the Oklahoma Department of Veterans Affairs
18 shall provide a monthly report of any such expenditures to the
19 Oklahoma Veterans Commission.

20 2. The cost of food for persons attending any conferences,
21 meetings and training sessions that do not require overnight travel
22 shall not exceed the total daily rate as provided in the State
23 Travel Reimbursement Act.
24

1 ~~F.~~ U. Whenever possible it shall be the policy of each state
2 agency to prepay airline fares and lodging expenses using a purchase
3 card issued to the agency. This policy shall apply to instances
4 where employees of the agency are traveling on behalf of state
5 government.

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10
11 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
12 02/17/2021 - DO PASS, As Coauthored.