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**AS AMENDED**

By: Lowe (Dick) of the House

Howard of the Senate

[ state government - reimbursable expenses - State Department of Education to contract for specified goods and services -

emergency ]

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

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

Section 500.2. A. Officials and employees of the state, traveling on authorized state business, may be reimbursed for expenses incurred in such travel in accordance with the provisions of the State Travel Reimbursement Act and existing statutes relating to state travel. Persons who are not state employees, but who are performing substantial and necessary services to the state which have been directed or approved by the appropriate department official shall enjoy the protection of the sovereign immunity of the state to the same extent as a paid employee. Such persons may be

1 reimbursed for expenses incurred during authorized official travel  
2 under these same statutory provisions, provided it is indicated on  
3 the claim the person is not a state employee, a description of  
4 services performed is entered, and the agency head by approval of  
5 the claim certifies such services were substantial and necessary,  
6 and germane to the duties and functions of the reimbursing agency.  
7 Travel expenses incurred by a person during the course of seeking  
8 employment with a state agency, unless such travel is performed at  
9 the request of the employing agency, shall not be considered  
10 expenses incurred in performing substantial and necessary services  
11 to the state and shall not be reimbursed under the provisions of the  
12 State Travel Reimbursement Act.

13 B. The chief administrative officer of the Department of Public  
14 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma  
15 State Bureau of Narcotics and Dangerous Drugs Control, the Military  
16 Department of the State of Oklahoma, the Department of Corrections,  
17 the Office of Management and Enterprise Services, the Alcoholic  
18 Beverage Laws Enforcement Commission, the Oklahoma Department of  
19 Agriculture, Food, and Forestry, the Oklahoma Department of  
20 Emergency Management, the State Fire Marshal, and the State  
21 Department of Health may arrange for and charge meals and lodging  
22 for a contingent of state personnel moved into an area for the  
23 purpose of preserving the public health, safety, or welfare or for  
24 the protection of life or property. The cost for meals or lodging

1 so charged shall not exceed the amount authorized in the State  
2 Travel Reimbursement Act. The chief administrative officer of each  
3 agency involved in such an operation shall require the vendor  
4 furnishing meals, lodging, or both meals and lodging to submit an  
5 itemized statement for payment. When a claim for lodging is made  
6 for a contingent of state personnel, individual members of the  
7 contingent may not submit a claim for lodging. When a claim for  
8 meals is made for a contingent of state personnel, individual  
9 members of the contingent may not submit a claim for meals.

10 C. The Oklahoma Department of Commerce, the Oklahoma Center for  
11 the Advancement of Science and Technology, and the Oklahoma  
12 Department of Agriculture, Food, and Forestry are hereby authorized  
13 to enter into contracts and agreements for the payment of food,  
14 lodging, meeting facility and beverage expenses as may be necessary  
15 for sponsoring seminars and receptions relating to economic  
16 development and science and technology issues. Such expenses may be  
17 paid directly to the contracting agency or business establishment.  
18 The Director of the Oklahoma Department of Commerce, the President  
19 of the Oklahoma Center for the Advancement of Science and  
20 Technology, and the Commissioner of Agriculture shall each provide a  
21 quarterly report of such expenditures to the Governor, the Speaker  
22 of the House of Representatives and the President Pro Tempore of the  
23 Senate.  
24

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

13 E. For purposes of this section:

14 1. "State agency" means any constitutionally or statutorily  
15 created state board, commission, or department, including the  
16 Legislature and the Courts;

17 2. State agencies are authorized to enter into contracts and  
18 agreements for the payment of food and lodging expenses as may be  
19 necessary for employees or other persons who are performing  
20 substantial and necessary services to the state by attending  
21 official conferences, meetings, seminars, workshops, or training  
22 sessions or in the performance of their duties. Such expenses may  
23 be paid directly to the contracting agency or business  
24 establishment, provided the meeting qualifies for overnight travel

1 for the employees and the cost for food and lodging for each  
2 employee shall not exceed the total daily rate as provided in the  
3 State Travel Reimbursement Act;

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

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

19 F. State agencies are authorized to make direct purchases of  
20 commercial airline tickets for use by employees in approved out-of-  
21 state travel. Each claim or invoice submitted to the Director of  
22 the Office of Management and Enterprise Services for the payment of  
23 the purchase shall bear the airline identifying ticket number, the  
24 name of the airline, total cost of each ticket purchased, class of

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

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

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

23       H. 1. The Commissioner of the Department of Mental Health and  
24 Substance Abuse Services is hereby authorized to enter into

1 contracts and agreements for the payment of food, lodging, and other  
2 authorized expenses as may be necessary to host, conduct, sponsor,  
3 or participate in conferences, meetings, or training sessions. The  
4 Commissioner may establish accounts as necessary for the collection  
5 and distribution of funds, including funds of sponsors and  
6 registration fees, related to such conferences, meetings, and  
7 training sessions. Any expenses incurred may be paid directly to  
8 the contracting agency or business establishment.

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

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

21       J. The Oklahoma Tourism and Recreation Department is hereby  
22 authorized to enter into contracts and agreements for the payment of  
23 food, lodging, and meeting facility and beverage expenses as may be  
24 necessary for seminars and receptions relating to familiarization

1 tours and tourism development. The expenses may be paid directly to  
2 the contracting agency or business establishment. The Executive  
3 Director of the Oklahoma Tourism and Recreation Department shall  
4 provide a monthly report of any such expenditures to the Oklahoma  
5 Tourism and Recreation Commission.

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

14 L. 1. The Oklahoma Highway Safety Office of the Department of  
15 Public Safety is hereby authorized to enter into contracts and  
16 agreements for the payment of food, lodging, and other authorized  
17 expenses as may be necessary, to host, conduct, sponsor, or  
18 participate in highway-safety-related conferences, workshops,  
19 seminars, meetings, or training sessions. The payments shall be for  
20 all persons in attendance, including, but not limited to, employees  
21 of political subdivisions or employees of the state or federal  
22 government. For purposes specified in this paragraph, only federal  
23 highway safety funds may be used in accordance with federal  
24



1 guidelines and regulations, and no appropriated state funds shall be  
2 used.

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

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

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

19 N. The Oklahoma Homeland Security Director is hereby authorized  
20 to enter into contracts and agreements for the payment of food,  
21 lodging and other authorized expenses as may be necessary to host,  
22 conduct, sponsor, or participate in homeland-security-related  
23 conferences, meetings, workshops, seminars, exercises or training  
24

1 sessions. The expenses may be paid directly to the contracting  
2 agency or business establishment.

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

13 P. 1. The Insurance Commissioner of the Insurance Department  
14 of the State of Oklahoma is hereby authorized to enter into  
15 contracts and agreements for the payment of food, lodging, and other  
16 authorized expenses as may be necessary to host, conduct, sponsor,  
17 or participate in conferences, meetings, or training sessions. The  
18 Commissioner may establish accounts as necessary for the collection  
19 and distribution of funds, including funds of sponsors and  
20 registration fees, related to such conferences, meetings, and  
21 training sessions. Any expenses incurred may be paid directly to  
22 the contracting agency or business 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 ~~P.~~ Q. 1. The State Regents for Higher Education is hereby  
4 authorized to enter into contracts and agreements for the payment of  
5 food, lodging, and other authorized expenses as may be necessary to  
6 host, conduct, sponsor, or participate in conferences, meetings, or  
7 training sessions. The State Regents for Higher Education may  
8 establish accounts as necessary for the collection and distribution  
9 of funds, including funds of sponsors and registration fees, related  
10 to such conferences, meetings, and training sessions. Any expenses  
11 incurred may be paid directly to the contracting agency or business  
12 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 ~~Q.~~ R. 1. The Office of Educational Quality and Accountability  
18 is hereby authorized to enter into contracts and agreements for the  
19 payment of food, lodging, and other authorized expenses as may be  
20 necessary to host, conduct, sponsor, or participate in conferences,  
21 meetings, or training sessions. The Office of Educational Quality  
22 and Accountability may establish accounts as necessary for the  
23 collection and distribution of funds, including funds of sponsors  
24 and registration fees, related to such conferences, meetings, and

1 training sessions. Any expenses incurred may be paid directly to  
2 the contracting agency or business establishment.

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

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

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

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

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

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

22 ~~T.~~ U. Whenever possible it shall be the policy of each state  
23 agency to prepay airline fares and lodging expenses using a purchase  
24 card issued to the agency. This policy shall apply to instances

1 where employees of the agency are traveling on behalf of state  
2 government.

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

7 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
8 March 24, 2021 - DO PASS  
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