

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4188

By: Boatman

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 2021, Sections 500.2, 500.4, 500.5, 500.8, 500.9, 500.11, 500.15, 500.16 and 500.18, which relate to the State Travel Reimbursement Act; clarifying language; modifying reimbursement for distances; removing travel by leased automobile; modifying method of computing per diem; modifying reimbursement for overnight lodging and out-of-state trips; modifying submission of claims; modifying exemptions; repealing 74 O.S. 2021, Section 500.17, which relates to the review of travel expenditures; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, 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

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

16 B. The chief administrative officer of the Department of Public
17 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
18 State Bureau of Narcotics and Dangerous Drugs Control, the Military
19 Department of the State of Oklahoma, the Department of Corrections,
20 the Office of Management and Enterprise Services, the Alcoholic
21 Beverage Laws Enforcement Commission, the Oklahoma Department of
22 Agriculture, Food, and Forestry, the Oklahoma Department of
23 Emergency Management, the State Fire Marshal, and the State
24 Department of Health may arrange for and charge meals and lodging

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

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

1 of the House of Representatives and the President Pro Tempore of the
2 Senate.

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

15 E. For purposes of this section:

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

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

1 be paid directly to the contracting agency or business
2 establishment, 7; provided the meeting qualifies for overnight travel
3 for the employees and the cost for food and lodging for each
4 employee shall not exceed the total daily rate as provided in the
5 State Travel Reimbursement Act;

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

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

21 F. State agencies are authorized to make direct purchases of
22 commercial airline tickets for use by employees in approved out-of-
23 state travel. Each claim or invoice submitted to the Director of
24 the Office of Management and Enterprise Services for the payment of

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

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

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

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

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

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

23 J. The Oklahoma Tourism and Recreation Department is hereby
24 authorized to enter into contracts and agreements for the payment of

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

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

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

1 highway safety funds may be used in accordance with federal
2 guidelines and regulations, and no appropriated state funds shall be
3 used.

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

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

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

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

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 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 R. 1. The Office of Educational Quality and Accountability is
18 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 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~~ related
16 to such conferences, meetings, training sessions or initiatives.
17 The payments may be for all persons in attendance, including, but
18 not 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
24

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 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~~ related to the support of veterans and
13 the development of veterans' services. Expenses incurred may be
14 paid directly to the contracting agency or business establishment.
15 The Executive Director of the Oklahoma Department of Veterans
16 Affairs shall provide a monthly report of any such expenditures to
17 the 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 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. AMENDATORY 74 O.S. 2021, Section 500.4, is
4 amended to read as follows:

5 Section 500.4 A. Authorized persons traveling on official
6 state business within the State of Oklahoma may utilize railroads,
7 airplanes, buses, whether intracity or intercity, or other public
8 conveyance. Reimbursement for fares paid for airplane
9 transportation shall not exceed coach class fare except as provided
10 herein. Reimbursement for fares paid for airplane transportation
11 may be at the business class fare rate for international travel.
12 Other public conveyance fares shall not exceed the lesser of the
13 normal charge or coach class airplane fare. Taxicab or rideshare
14 fares within the State of Oklahoma and communication charges may be
15 reimbursed only upon justification as to the necessity for their
16 use.

17 B. Agency heads or their authorized designees may approve the
18 use of motor vehicles for official travel within the State of
19 Oklahoma. If available, agency owned motor vehicles or motor
20 vehicles leased from the State Motor Pool, either on a full-time
21 basis or for individual trips, shall be utilized for such travel.
22 Reimbursement for use of privately owned motor vehicles may be
23 authorized by the agency head.

1 C. Reimbursement for authorized use of privately owned motor
2 vehicles shall not exceed the amount prescribed by the Internal
3 Revenue Code of 1986, as amended, or rules, procedures or other
4 action by the Internal Revenue Service, for use in determining the
5 standard mileage rate allowed for a business expense deduction.
6 Distances for which reimbursement for use of privately owned motor
7 vehicles is claimed shall be actual business miles based on a
8 recognized Global Positioning System (GPS) or based on map and
9 vicinity business mileage.

10 SECTION 3. AMENDATORY 74 O.S. 2021, Section 500.5, is
11 amended to read as follows:

12 Section 500.5 A. Reimbursement for automobiles ~~leased or~~
13 rented within this state from ~~so-called~~ car rental agencies or
14 private parties, to be used in lieu of a privately owned vehicle on
15 official business for the state, shall not exceed the rate provided
16 for the use of a privately owned automobile.

17 B. The actual cost of ~~leasing or~~ renting an automobile outside
18 of this state to be used on official business for the state shall be
19 reimbursed subject to the approval of the agency head or authorized
20 designee.

21 SECTION 4. AMENDATORY 74 O.S. 2021, Section 500.8, is
22 amended to read as follows:

23 Section 500.8 A ~~reimbursement in lieu of meal expenses, per~~
24 ~~day, while in official travel status,~~ per diem in an amount

1 authorized by the ~~provisions of the Internal Revenue Code of 1986,~~
2 ~~as amended, for deductibility of expenses for travel while away from~~
3 ~~home without additional documentation within the State of Oklahoma~~
4 ~~and outside the state is authorized~~ federal Government Services
5 Administration (GSA) in its Federal Travel Regulation (FTR) 42 C.F.R
6 Section 300-1.1 et seq. and as updated in its FTR Bulletins is
7 authorized while in travel status. In computing per diem
8 reimbursement ~~for meals~~ a day shall be a ~~period of twenty-four (24)~~
9 ~~hours~~ calendar day. ~~Reimbursement for each one-fourth (1/4) day~~
10 ~~consisting of six (6) hours or major fraction thereof, more than~~
11 ~~three (3) hours, may be made at the rate of one-fourth (1/4) of the~~
12 ~~daily allowable rate.~~ The first and last days of travel shall be
13 paid at a rate of seventy-five percent (75%) of the full-day per
14 diem. Provided, however, that no ~~reimbursement for meals~~ per diem
15 shall be made for periods which do not include overnight status. If
16 meals and lodging at a meeting, workshop, conference or other object
17 of travel are furnished as a "package plan", reimbursement may be
18 made, based upon a receipt, but at a daily rate of not to exceed the
19 total daily rate provided in this act.

20 SECTION 5. AMENDATORY 74 O.S. 2021, Section 500.9, is
21 amended to read as follows:

22 Section 500.9 A. Reimbursement for overnight lodging, while in
23 official travel status, may be made at ~~not to exceed~~ an amount
24 authorized by the provisions of the ~~Internal Revenue Code of 1986,~~

1 ~~as amended, for deductibility of expenses~~ federal Government
2 Services Administration (GSA) in its Federal Travel Regulation (FTR)
3 42 CFR Section 300-1.1 et seq. and as updated in its FTR Bulletins
4 for travel while away from home without additional documentation or
5 the actual cost, if lower, per night except as provided in
6 subsections B, C, ~~D~~, ~~F~~ E, and ~~H~~ G of this section and Section 500.9A
7 of this title. Receipts issued by the hotel, motel or other public
8 lodging place shall accompany claims for reimbursement.

9 B. ~~A per diem allowance for meals and incidental expenses may~~
10 ~~be authorized by a travel claim issued in accordance with Section~~
11 ~~500.3 of this title, which shall include all charges for meals and~~
12 ~~incidental expenses. Not to exceed an amount authorized by the~~
13 ~~provisions of the Internal Revenue Code of 1986, as amended, for~~
14 ~~deductibility of expenses for travel while away from home without~~
15 ~~additional documentation may be authorized on the travel claim for~~
16 ~~the performance of travel within the State of Oklahoma. In~~
17 ~~computing the per diem allowance, a day shall be a period of twenty~~
18 ~~four (24) hours. Reimbursement for each one-fourth (1/4) day~~
19 ~~consisting of six (6) hours or major fraction thereof, more than~~
20 ~~three (3) hours, may be made at the rate of the daily allowable~~
21 ~~rate. When a traveler has lodging provided at no cost to the state,~~
22 ~~a ten-dollar lodging per diem allowance may be claimed in addition~~
23 ~~to the meals and incidental expenses per diem allowance. Provided,~~
24 ~~however, that no per diem shall be allowed pursuant to this section~~

1 ~~for periods of less than overnight in travel status. Reimbursement~~
2 ~~for expenses other than meals and lodging may also be made in~~
3 ~~accordance with the provisions of this act.~~

4 ~~C.~~ State officers or employees attending meetings, workshops,
5 conferences or other objectives of trips which are conducted at a
6 designated hotel, motel or other public lodging place or where
7 lodging has been arranged for by the blocking of rooms or by rate
8 reductions for the participants by the sponsor as evidenced by the
9 announcement or notice of the meeting, workshop, conference or other
10 objective shall be reimbursed the actual lodging expense not to
11 exceed the single occupancy room rate charged by the designated
12 hotel, motel or other public lodging place~~r~~i provided~~,~~ that the
13 officials or employees are in official travel status approved by the
14 agency head or designee. Provided further, those state officers or
15 employees attending meetings, workshops, conferences or other
16 objectives of trips, which are conducted at a designated hotel,
17 motel or other public lodging place as provided by this subsection,
18 who choose to acquire less expensive lodging at another hotel, motel
19 or other public lodging place shall be reimbursed the actual lodging
20 expense not to exceed the single occupancy room rate charged by the
21 designated hotel, motel or other public lodging place. Provided
22 further, those state officers or employees so choosing this option
23 shall be reimbursed for local transportation costs incurred
24 traveling between such optional lodging and the designated hotel,

1 motel or other public lodging place not to exceed the difference
2 between the cost of the designated lodging and the cost of the
3 optional lodging. Receipts issued by the hotel, motel or other
4 public lodging place shall accompany claims for reimbursement.

5 ~~D.~~ C. State officers and employees who have been required to
6 attend hearings or meetings of any congressional committee or
7 subcommittee or any federal agency, board or commission shall be
8 reimbursed for their actual and necessary travel and lodging
9 expenses; however, the agency head must approve any claims in
10 connection with such expenses.

11 ~~E.~~ D. Reimbursement for meals and lodging on out-of-state trips
12 shall not begin more than ~~twenty-four (24) hours~~ one (1) calendar
13 day before the meeting, workshop, conference or other objective of
14 trip begins and shall not continue more than ~~twenty-four (24) hours~~
15 one (1) calendar day after said meeting, workshop, conference or
16 other objective of trip ends. This twenty-four-hour limit shall
17 also apply for in-state travel when the agency determines that
18 travel is of a duration where overnight travel prior to or after the
19 trip objective would be necessary.

20 ~~F.~~ E. Reimbursement for meals and lodging incurred in official
21 travel in areas outside of the United States to implement the
22 objectives of contracts, grants, agreements or gifts for which funds
23 from these sources are furnished shall be reimbursed from said funds
24 at actual cost not to exceed the amount authorized for United States

1 Government employees in its periodical publication entitled
2 "Standard Regulations (Government Civilians, Foreign Areas),
3 Department of State, Washington, DC". Provided, however,
4 reimbursement for travel to points outside of the United States,
5 whether performed under authority of contract, grant, agreement or
6 otherwise, shall not begin more than ~~forty-eight (48) hours~~ two (2)
7 calendar days before or end more than ~~forty-eight (48) hours~~ two (2)
8 calendar days after the objective of the trip.

9 ~~G.~~ F. Claims submitted to the Director of the Office of
10 Management and Enterprise Services for payment under the provisions
11 of this section shall be certified to by the principal fiscal
12 officer or contract and grant administrator of each agency. Such
13 officer shall certify that such claim complies with and is
14 authorized under this section.

15 ~~H.~~ G. The Director of the Office of Management and Enterprise
16 Services may authorize reimbursement for overnight lodging while in
17 official travel status within the State of Oklahoma at a rate of up
18 to one hundred fifty percent (150%) of the amount authorized in
19 subsection A of this section if it is determined that no lodging was
20 available at the maximum rate set out in subsection A of this
21 section. Prior to authorizing such payment, the state officer or
22 employee shall certify the efforts made to obtain lodging at the
23 rate set out in subsection A of this section and the reasons why
24

1 such lodging was not available within a reasonable distance from the
2 state officer's or employee's work location.

3 SECTION 6. AMENDATORY 74 O.S. 2021, Section 500.11, is
4 amended to read as follows:

5 Section 500.11 A. Authorized persons traveling on official
6 state business outside of the State of Oklahoma may utilize
7 appropriate forms of transportation, including but not limited to,
8 common carriers, transit system carriers, state owned or privately
9 owned motor vehicles or airplanes, contract rental motor vehicles,
10 commuter airplanes, or transportation by private parties to reach
11 their destinations.

12 B. 1. Except as otherwise provided by this section,
13 reimbursement for out of state transportation costs as authorized by
14 this section shall not exceed the normal charge for the type of
15 transportation used, but in no instance shall reimbursement for
16 transportation used in lieu of commercial airplane exceed the cost
17 of coach or economy class air fare.

18 2. Reimbursement for travel by commercial airplane on a first-
19 class basis may be made if coach or economy class space is not
20 available within a reasonable time and is justified by attachment to
21 claim for reimbursement.

22 3. Claims for reimbursement for transportation by commercial
23 airline shall be accompanied by the passenger's ~~duplicate of airline~~
24

1 ~~ticket, or other~~ airline receipt which includes information as to
2 class of accommodation for which reimbursement is claimed.

3 4. If commuter airlines are the only airlines available to
4 reach a destination, reimbursement for transportation used in lieu
5 of commuter air fare shall not exceed the cost of the commuter air
6 fare.

7 C. Reimbursement for authorized use of privately owned motor
8 vehicles or vehicles from motor vehicle rental agencies used for
9 out-of-state travel shall be limited to the actual cost for such
10 vehicle but in no instance shall reimbursement for such vehicle
11 exceed the cost for commercial coach or economy class air fare or
12 commuter air fare, whichever is appropriate. Distances for which
13 reimbursement for use of privately owned motor vehicles or vehicles
14 from vehicle rental agencies is claimed shall not exceed distances
15 as computed by a Global Positioning System (GPS) or based on map and
16 vicinity business mileage set forth in a recognized published
17 national atlas or road map. Vicinity travel on official business
18 shall be entered on travel claims as a separate item.

19 SECTION 7. AMENDATORY 74 O.S. 2021, Section 500.15, is
20 amended to read as follows:

21 Section 500.15 All claims for reimbursement of travel expenses
22 shall be submitted on the regular authorized form of travel expense
23 claim, and shall be approved by the official or employee performing
24 the travel, and approved by the official or employee designated in

1 Section 34.68 of Title 62 of the Oklahoma Statutes, for the agency
2 in which the employee works. Receipts may be provided to the Office
3 of Management and Enterprise Services in electronic form. ~~No travel~~
4 ~~claim shall be awarded if the filer of the claim has benefited from~~
5 ~~the personal receipt of frequent travel miles unless those miles are~~
6 ~~used to offset future claims against the state.~~

7 SECTION 8. AMENDATORY 74 O.S. 2021, Section 500.16, is
8 amended to read as follows:

9 Section 500.16 ~~Standard blank forms of travel claims to be used~~
10 ~~to carry out the purposes of this act~~ The method, forms, or systems
11 for submitting a travel reimbursement claim shall be prescribed by
12 the Director of the Office of Management and Enterprise Services.

13 SECTION 9. AMENDATORY 74 O.S. 2021, Section 500.18, is
14 amended to read as follows:

15 Section 500.18 A. Except for members of the Legislature, the
16 Governor and the Lieutenant Governor, provisions of Sections 500.1
17 through 500.18 of this title shall be mandatory for all officials
18 and employees of all departments, boards, commissions and
19 institutions of the state, regardless of the provisions of any other
20 act of the Legislature, except as provided by this section. The
21 enactment of any measure in the future providing for travel
22 reimbursement of state officers and employees on the basis of
23 "actual and necessary" expenses or in any other manner inconsistent
24 with Sections 500.1 through 500.18 of this title shall be deemed to

1 provide for reimbursement in accordance with Sections 500.1 through
2 500.18 of this title unless a contrary intent is explicitly
3 expressed in this section. Sections 500.1 through 500.18 of this
4 title shall not apply, however, to travel reimbursements made by
5 political subdivisions of this state, except as otherwise provided
6 by law.

7 B. The agencies listed below are authorized certain exceptions
8 and/or exemptions to the provisions of Sections 500.1 through 500.18
9 of this title to the extent specified:

10 1. Oklahoma Department of Agriculture, Food, and Forestry:

11 a. The actual and reasonable expenses of travel and
12 subsistence in pursuing and developing markets for
13 Oklahoma agricultural products incurred by the
14 Commissioner, Deputy Commissioner and such employees
15 designated by the State Board of Agriculture within
16 the marketing development programs of the Oklahoma
17 Department of Agriculture, Food, and Forestry shall be
18 reimbursed to the employee incurring such expenses.
19 Reimbursement of such expenses shall be in accordance
20 with rules adopted by the Board. Expenses claimed
21 shall, prior to reimbursement, be reviewed by the
22 Board at a regular meeting and individually approved
23 or disapproved.

1 b. The actual and necessary expenses of out-of-state
2 travel and subsistence incurred by employees of the
3 Forestry Division authorized to evaluate and acquire
4 federal excess property or surplus property in other
5 states for use in its fire protection program, shall
6 be reimbursed to the employee incurring such expenses.

7 2. Department of Public Safety:

8 When traveling with the Governor or at the Governor's request,
9 personnel assigned by the Commissioner for executive security and
10 pilots on executive assignment shall be allowed their actual and
11 necessary traveling expenses, upon claims approved by the
12 Commissioner.

13 3. Department of Corrections:

14 The Department of Corrections shall be exempt from limitations
15 of reimbursement for rented automobiles, as set forth in Section
16 500.5 of this title, when the rental is by a Correctional Officer or
17 Transportation Officer for the limited purpose of transporting
18 inmates. Reimbursement for the expense shall be on the basis of
19 actual cost.

20 4. Oklahoma Tourism and Recreation Department:

21 The Oklahoma Tourism and Recreation Commission and Department
22 staff who promote in-state and out-of-state business for Oklahoma's
23 state-operated or state-owned parks, lodges, and golf courses and
24 the tourism and recreation industry, may be reimbursed for the

1 actual and necessary expense of travel, subsistence and
2 entertainment for this purpose. The Director of the Oklahoma
3 Tourism and Recreation Department may reimburse the Publisher of
4 Oklahoma Today magazine and its staff for expenses for meals and
5 other entertainment in order to gain advertising and promotion for
6 Oklahoma Today magazine.

7 5. Oklahoma Department of Commerce:

- 8 a. The actual and necessary expenses incurred by the
9 Director and other employees of the Department
10 authorized by the Director for the purpose of business
11 recruitment shall be reimbursed. Reimbursement of
12 expenses shall be in accordance with rules adopted by
13 the Director of the Oklahoma Department of Commerce.
14 Expenses claimed shall, prior to reimbursement, be
15 reviewed by the Director and individually approved or
16 disapproved.
- 17 b. The Department, at the discretion of the Director, may
18 charter aircraft for the purposes of carrying out its
19 duties and responsibilities related to business
20 recruitment and performing the duties of the Director.
21 The cost of such charter shall be exempt from the
22 provisions of Section 500.6 of this title. Claims
23 filed with the Office of Management and Enterprise
24 Services shall bear the following certification:

1 The best interests of the citizens of Oklahoma were
2 better served in that conventional ground
3 transportation was not practical or feasible for this
4 trip, aircraft from the Department of Public Safety
5 were not available for this trip, and no other claim
6 has been or will be filed as a payment for the cost of
7 transportation in connection with this trip.

8 c. The Oklahoma Department of Commerce may reimburse the
9 Oklahoma Film and Music Office staff for the actual
10 and necessary expenses for meals and other
11 entertainment in order to promote the film and music
12 industries in this state. Reimbursement of all actual
13 and necessary expenses shall be in accordance with
14 rules adopted by the Oklahoma Department of Commerce.

15 6. Office of Management and Enterprise Services:

16 The actual and necessary expenses of travel and subsistence
17 incurred by the Director, any state employee approved by his or her
18 appointing authority, or state officials, for travel outside the
19 state in performance of duties related to bond financing shall be
20 reimbursed to the employee or state official incurring such
21 expenses. Reimbursement for lodging expenses shall be supported by
22 three telephone bids from hotels within a reasonable distance of the
23 activity for which the travel was approved.

24 7. Oklahoma Futures:

1 The actual and necessary expenses incurred by the members of
2 Oklahoma Futures in the performance of their duties shall be
3 reimbursed to the members incurring such expenses. Reimbursement of
4 all actual and necessary expenses shall be in accordance with rules
5 adopted by Oklahoma Futures.

6 8. Oklahoma Development Finance Authority:

7 The actual and necessary expenses incurred by the members and
8 employees of the Oklahoma Development Finance Authority in the
9 performance of their duties shall be reimbursed to the person
10 incurring such expenses. Reimbursement of all actual and necessary
11 expenses shall be in accordance with the bylaws of the Authority.

12 9. Oklahoma Center for the Advancement of Science and
13 Technology:

14 The actual and necessary expenses incurred by the members and
15 employees of the Oklahoma Center for the Advancement of Science and
16 Technology in the performance of their duties shall be reimbursed to
17 the person incurring such expenses. Reimbursement of all actual and
18 necessary expenses shall be in accordance with the bylaws of the
19 Center.

20 10. Center for International Trade Development:

21 The actual and necessary expenses of travel, lodging and
22 subsistence incurred by the Director and authorized employees of the
23 Center for International Trade Development for performance of their
24 duties for the purpose of business recruitment and assistance shall

1 be reimbursed to the person incurring such expenses. Reimbursement
2 of such expenses shall be in accordance with the rules adopted by
3 the Director of the Center for International Trade Development.
4 Expenses claimed shall be reviewed and individually approved or
5 disapproved, prior to reimbursement, first by the Director, and
6 finally by either the Vice President, Business and Finance of
7 Oklahoma State University or the President of Oklahoma State
8 University.

9 11. Oklahoma State Bureau of Investigation:

10 The actual and necessary expenses incurred by the Director and
11 other employees of the Bureau authorized by the Director as a result
12 of conducting investigations shall be reimbursed to each such
13 employee incurring the expenses. Reimbursement of the expenses
14 shall be in accordance with rules adopted by the Director of the
15 Oklahoma State Bureau of Investigation. Prior to reimbursement,
16 expenses claimed shall be reviewed by the Director and individually
17 approved or disapproved.

18 12. Department of Human Services:

19 ~~a.~~ The actual and necessary expenses of travel, lodging
20 and subsistence incurred by employees of the Legal
21 Division in the performance of their duties for the
22 purpose of representing the Department of Human
23 Services or any of its officials, employees,
24 institutions or hospitals at any proceeding including

1 depositions, held before any court, administrative
2 body or representative thereof, shall be reimbursed to
3 the employee incurring such expenses. Expenses
4 claimed shall be approved by the General Counsel and
5 the Director of Human Services prior to reimbursement.

6 ~~b. The Department, at the discretion of the Director, may~~
7 ~~charter aircraft when determined by the Director such~~
8 ~~charter would be more practical or less expensive than~~
9 ~~normal modes of transportation and when aircraft of~~
10 ~~the Department of Public Safety are unavailable. The~~
11 ~~costs of such charter shall be exempt from the~~
12 ~~provisions of Section 500.6 of this title.~~

13 13. Oklahoma Health Care Authority:

14 The actual and necessary expenses of travel, lodging and
15 subsistence incurred by employees of the Legal Division in the
16 performance of their duties for the purpose of representing the
17 Authority or any of its officials or employees, at any proceeding
18 including depositions, held before any court, administrative body or
19 representative thereof, shall be reimbursed to the employee
20 incurring such expenses. Expenses claimed shall be approved by the
21 Administrator prior to reimbursement.

22 14. Oklahoma State Bureau of Narcotics and Dangerous Drugs
23 Control:
24

1 The actual and necessary expenses incurred by the Director and
2 other employees of the Bureau authorized by the Director as a result
3 of conducting investigations shall be reimbursed to each employee
4 incurring the expenses. Reimbursement of the expenses shall be in
5 accordance with rules adopted by the Director of the Oklahoma State
6 Bureau of Narcotics and Dangerous Drugs Control. Prior to
7 reimbursement, expenses claimed shall be reviewed by the Director
8 and individually approved or disapproved.

9 15. University Hospitals:

10 The actual and necessary expenses of travel, lodging and
11 subsistence incurred by employees of the Legal Office in the
12 performance of their duties for the purpose of representing the
13 University Hospitals or any of its officials, employees,
14 institutions or hospitals at any proceeding including depositions,
15 held before any court, administrative body or representative
16 thereof, shall be reimbursed to the employee incurring such
17 expenses. Expenses shall be approved by the Chief Executive Officer
18 of the University Hospitals or by the University Hospitals
19 Authority.

20 16. Oklahoma Historical Society:

21 The actual and necessary expenses of travel, subsistence and
22 entertainment incurred by the Executive Director, Deputy Director
23 and any employees designated by the Executive Committee of the
24 Oklahoma Historical Society Board of Directors in pursuing and

1 developing programs and projects for the preservation and marketing
2 of Oklahoma history shall be reimbursed to the person incurring the
3 expenses. Reimbursement of expenses shall be in accordance with
4 rules adopted by the Oklahoma Historical Society Board of Directors.
5 Prior to reimbursement, expenses claimed shall be reviewed by the
6 Executive Committee at a regularly scheduled meeting and each claim
7 shall be individually approved or disapproved.

8 17. The Oklahoma Department of Mines:

9 The actual and necessary expenses of travel, lodging and
10 subsistence incurred by employees of the Department in the
11 performance of their duties for the purpose of representing the
12 Department or any of its officials or employees, at any proceeding,
13 hearing or meeting with federal agencies, boards, commissions,
14 congressional representatives, congressional committees or staff,
15 shall be reimbursed to the employee incurring such expenses.
16 Expenses claimed shall be approved by the Executive Director prior
17 to reimbursement.

18 18. The Office of Attorney General:

19 The actual and necessary expenses of travel, lodging and
20 subsistence incurred by its employees in the performance of their
21 duties for the purpose of representing the state, the Legislature,
22 any state board, agency or commission, or any employee or official
23 of the state entitled to representation, at any proceeding including
24 depositions, held before any court, administrative body or any

1 representative thereof, and the actual and necessary expenses
2 incurred by employees as a result of conducting investigations shall
3 be reimbursed to the employee incurring the expenses. The expenses
4 shall be approved by the Attorney General prior to reimbursement.

5 19. District Attorneys Council:

6 The actual and necessary expenses of travel, lodging and
7 subsistence incurred by each district attorney and other employees
8 of the district attorney authorized by the district attorney in the
9 performance of their duties for any district other than the district
10 for which they are employed for the purpose of representing the
11 state, any county, or any employee or official of the state entitled
12 to representation at any proceeding including depositions held
13 before any court, administrative body or any representative of a
14 court or administrative body, and the actual and necessary expenses
15 incurred as a result of conducting investigations shall be
16 reimbursed to each employee incurring the expenses. Reimbursement
17 of the expenses shall be in accordance with rules adopted by the
18 District Attorneys Council. Prior to reimbursement, expenses
19 claimed shall be reviewed by the Council and individually approved
20 or disapproved.

21 20. The Department of Securities:

22 The actual and necessary expenses of travel, lodging and
23 subsistence incurred by the Administrator and other employees of the
24 Department of Securities in the performance of their duties for the

1 purpose of representing the Department of Securities, at any
2 proceeding including depositions, held before any court,
3 administrative body or any representative thereof, conducting on-
4 site examinations, or conducting investigations, shall be reimbursed
5 to each employee incurring the expenses. The expenses shall be
6 approved by the Administrator of the Department of Securities prior
7 to reimbursement.

8 21. Corporation Commission:

9 The actual and necessary travel expenses incurred by the staff
10 of the Public Utility Division as a result of conducting audits
11 and/or reviews of utility service providers shall be reimbursed to
12 each ~~such~~ employee incurring the expense. Reimbursement of the
13 expenses shall be as set forth in procedures established by the
14 appointing authority.

15 22. The Department of Human Services:

16 Employees of the Department of Human Services ~~shall~~ may be
17 reimbursed for their actual and necessary expenses of travel,
18 lodging and ~~subsistence~~ meals and incidentals incurred in the
19 performance of their duties for the purpose of escorting and
20 transporting children or adults in the care or custody of the
21 Department, subject to approval by the Department:

- 22 a. for out-of-state visitation, care, treatment and
23 placement of a child welfare client,
24

- b. for out-of-state treatment for or placement of an adult protective services client,
- c. for out-of-state treatment for or placement of a resident of a state resource center, ~~or~~
- d. for out-of-state treatment for or placement of an individual with a developmental disability who is living in the community in community residential services, or
- e. for meals and incidental expenses necessary for the care of children or adults in the care or custody of the Department.

Expenses claimed shall be approved by the appropriate Division ~~Administrator or Associate~~ Director or Deputy prior to reimbursement.

23. The Banking Department:

The actual and necessary expenses of travel and lodging incurred by the Commissioner and other employees of the Banking Department in the performance of their duties for the Banking Department shall be paid or reimbursed by the Banking Department to each employee incurring the expenses. The expenses shall be approved by the Banking Commissioner prior to payment or reimbursement.

24. Oklahoma Office of Homeland Security:

The actual and necessary expenses of travel, lodging, and subsistence incurred by the Oklahoma Homeland Security Director, as

1 a result of the duties and responsibilities of the Director, shall
2 be paid or reimbursed by the Oklahoma Office of Homeland Security.

3 25. The Grand River Dam Authority:

4 The actual and necessary expenses of travel and lodging incurred
5 by the Board of Directors and other employees of the district in the
6 performance of their duties for the Grand River Dam Authority shall
7 be paid or reimbursed by the district to each Director or employee
8 incurring the expenses. The expenses shall be approved by the
9 General Manager of the Grand River Dam Authority prior to payment or
10 reimbursement.

11 26. The Native American Cultural and Educational Authority:

12 The actual and necessary expenses incurred by the Directors and
13 employees of the Native American Cultural and Educational Authority
14 in performances of duties. The expenses shall be approved by the
15 Director prior to payment or reimbursement.

16 27. Oklahoma Department of Career and Technology Education:

17 The actual and necessary expenses incurred by the Director and
18 other employees of the Department, authorized by the Director, for
19 the purpose of business recruitment, training, and the provision of
20 technical assistance shall be reimbursed. Reimbursement of expenses
21 shall be in accordance with rules adopted by the State Board of
22 Career and Technology Education. Expenses claimed, prior to the
23 reimbursement, will be reviewed by the Board and individually
24 approved or disapproved.

1 C. The agencies listed in subsection B of this section shall be
2 required to report annually the actual expenses excepted or exempted
3 from Sections 500.1 through 500.18 of this title to the Governor,
4 the President Pro Tempore of the Senate, and the Speaker of the
5 House of Representatives. The report shall be submitted no later
6 than the first day of September following the end of each fiscal
7 year.

8 SECTION 10. REPEALER 74 O.S. 2021, Section 500.17, is
9 hereby repealed.

10 SECTION 11. This act shall become effective November 1, 2022.

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12 58-2-9303 LRB 12/27/21
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