

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 799

By: Leewright

AS INTRODUCED

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

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

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

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

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

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

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

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

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

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

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

9 ~~3. June 30, 2014~~ Department of Tourism when budgeting,
10 contracting for and performing routine maintenance and repairs on
11 existing state park lodges, buildings and structures; however, all
12 new construction and remodel projects shall be required to comply
13 with the provisions of subsection A of this section.

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

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

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