

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1394

By: Standridge

AS INTRODUCED

An Act relating to public finance; creating the Right Side Up Government Act of 2024; providing short title; requiring analysis of total cost of certain persons; providing for transfers of certain costs and personnel; specifying duties of the Office of Management and Enterprise Services; prohibiting net gain in certain employment; providing for employment status of certain employees; specifying duties of transferred employees; placing transferred employees under oversight of legislative subcommittees; providing that provisions not apply in certain circumstances; prohibiting use of state funds to contract with or otherwise compensate a lobbyist; imposing duties upon the Legislative Office of Fiscal Transparency; requiring compliance by agencies, boards, and commissions; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8016 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Right Side Up Government Act of 2024".

1 B. Within ninety (90) days of the effective date of this act,
2 an analysis shall be done to determine the total cost to the state
3 for the preceding fiscal year with respect to:

4 1. Any person employed by an appropriated state agency,
5 including salary and benefits, who is registered with the Ethics
6 Commission as a legislative liaison pursuant to the provisions of
7 the Rules of the Ethics Commission; and

8 2. Any registered executive or legislative lobbyists that are
9 under contract with or otherwise compensated by any appropriated
10 state agency.

11 Provided, the director or other person who serves as the chief
12 officer of an appropriated agency, or the immediate subordinate of
13 such an officer, shall be excluded from the provisions of this act.

14 C. One hundred percent (100%) of the cost determined pursuant
15 to subsection B of this section shall be transferred to the
16 Legislative Service Bureau.

17 The Office of Management and Enterprise Services shall work with
18 all impacted agencies to determine how many full-time-equivalent
19 employees can be created at the Legislative Service Bureau and how
20 many full-time-equivalent employees will be eliminated at the
21 impacted state agencies, as well as which employees will be
22 transferred to the Legislative Service Bureau in the most effective
23 and efficient manner. The Legislative Office of Fiscal Transparency
24 may, but shall not be required to, retain any such transferred

1 employees. The new employees at the Legislative Service Bureau as a
2 result of this act shall be known as in-agency auditors. In this
3 process of moving employees within state government, there shall not
4 be any net gain in full-time-equivalent employees. Any employees
5 who are transferred to the Legislative Service Bureau shall retain
6 leave time earned and any retirement and longevity benefits which
7 have accrued during their tenure with the agency from which they
8 transferred. All employees who are transferred shall become
9 employees of the Legislative Office of Fiscal Transparency and, at
10 the option of the Legislative Office of Fiscal Transparency, may be
11 at-will employees.

12 D. Each employee so transferred shall have the principal duty
13 of reporting on budget savings which may be realized by the agency
14 or agencies to which they are assigned by the Legislative Office of
15 Fiscal Transparency including, but not limited to, savings relating
16 to areas of improved efficiencies in service delivery, waste, fraud,
17 abuse, or duplication efficiencies in service delivery, waste,
18 fraud, abuse, or duplication of efforts by other state agencies or
19 levels of government. Such employees may have further duties
20 prescribed by the Legislative Office of Fiscal Transparency.

21 E. The activities of in-agency auditors of the Legislative
22 Service Bureau shall be subject to the oversight of the legislative
23 subcommittees responsible for the agencies to which the in-agency
24 auditors are assigned. Through a majority vote of such

1 subcommittees, both in the Senate and the House of Representatives,
2 an assigned in-agency auditor may be removed from assignment to a
3 specific agency and immediately replaced by another in-agency
4 auditor.

5 F. The provisions of this section shall not apply to a public
6 employee who engages in legislative lobbying solely in response to a
7 direct request by a member of the Legislature.

8 G. On and after the effective date of this act, no state funds,
9 whether appropriated by the Legislature or from any other source,
10 shall be used by a governmental entity to contract with or otherwise
11 compensate an executive or legislative lobbyist.

12 H. The Legislative Office of Fiscal Transparency shall:

13 1. Gather information regarding the proposed budgets of
14 executive branch agencies each fiscal year;

15 2. Analyze the information and evaluate the extent to which the
16 agency budget does or does not fulfill the agency's primary duties
17 and responsibilities under applicable provisions of federal, state,
18 or other law;

19 3. Analyze and forecast all revenues available to the agency
20 from appropriations, fees, dedicated revenue, or any other sources;

21 4. Compare the agency budget information to the comparable
22 information contained in that agency's budget requests from prior
23 fiscal years;
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1 5. Conduct such investigations regarding the operations of the
2 agency as required in order to fulfill the duties imposed upon the
3 Legislative Office of Fiscal Transparency by law;

4 6. Make such reports to the Speaker of the House of
5 Representatives, the President Pro Tempore of the Senate, the chairs
6 of the standing committees of both houses of the Legislature to
7 which appropriation measures are ordinarily assigned, or to the
8 chairs of any joint committee on appropriations and budget
9 established pursuant to joint rules adopted by both houses of the
10 Legislature as may be required;

11 7. Perform such other duties related to the evaluation of the
12 annual budget process and the adherence of executive branch agencies
13 to the requirements imposed by the Oklahoma Constitution, Oklahoma
14 Statutes, and applicable provisions of legislative measures enacted
15 as part of the annual budget-writing process; and

16 8. Perform such other duties as may be mutually assigned by
17 agreement of both the President Pro Tempore of the Senate and the
18 Speaker of the House of Representatives.

19 I. Agencies, boards, and commissions shall comply with all
20 requests from the Legislative Office of Fiscal Transparency.

21 SECTION 2. This act shall become effective November 1, 2024.

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