

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 835

By: Howard

AS INTRODUCED

An Act relating to state government and buildings; amending 73 O.S. 2021, Section 163.1, which relates to the Oklahoma Capitol Improvement Authority; broadening leasing authority; amending 74 O.S. 2021, Sections 4190, 4191, and 4192, which relate to child care centers for state employees; transferring certain powers, duties, and fund to the Department of Human Services; clarifying applicability of certain provision; and providing an effective date.

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

SECTION 1. AMENDATORY 73 O.S. 2021, Section 163.1, is amended to read as follows:

Section 163.1. The Oklahoma Capitol Improvement Authority is hereby authorized to lease space ~~within~~within:

1. Within the State Office Building in Tulsa, Oklahoma, to private persons; or
2. Where the Department of Human Services has identified an appropriate location for lease to a third party to provide for the limited purpose of implementing Sections 4190 through 4192 of Title 74 of the Oklahoma Statutes.

1 SECTION 2. AMENDATORY 74 O.S. 2021, Section 4190, is

2 amended to read as follows:

3 Section 4190. A. The Director of the ~~Office of Management and~~
4 ~~Enterprise Services~~ Department of Human Services is authorized to
5 approve and administer child care centers for ~~minor dependents of~~
6 ~~state employees~~ the purpose of implementing Section 4190 et seq. of
7 this title, and may provide consultation to state agencies regarding
8 child care centers.

9 B. The Office of Management and Enterprise Services, ~~the~~
10 ~~Department of Human Services~~, and the Oklahoma State Department of
11 Health are directed to assist the ~~Director of the Office of~~
12 ~~Management and Enterprise Services~~ Department of Human Services in
13 the implementation of Sections 4190 through 4192 of this title.

14 ~~C.~~ The Director is authorized to promulgate any rules necessary
15 for the establishment and implementation of Sections 4190 through
16 4192 of this title.

17 ~~D.~~ C. Licensed spaces in the child care centers shall be open
18 to all eligible children, including those individuals not employed
19 by the State of Oklahoma and those financially eligible for
20 Department ~~of Human Services~~ child care assistance. However, minor
21 dependents of state employees shall be given highest priority and
22 children financially eligible for Department ~~of Human Services~~ child
23 care assistance second priority for all vacant spaces.

1 ~~E.~~ D. The Director shall approve rates for child care
2 consistent with the rates of the industry within the geographic
3 area.

4 SECTION 3. AMENDATORY 74 O.S. 2021, Section 4191, is
5 amended to read as follows:

6 Section 4191. A. The Director of the ~~Office of Management and~~
7 ~~Enterprise Services~~ Department of Human Services shall establish and
8 administer child care centers authorized in Section 4190 of this
9 title with funds made available for that purpose.

10 B. The Director ~~of the Office of Management and Enterprise~~
11 ~~Services~~ may approve a consortium, partnership, cooperative or
12 agreement to provide child care centers with other public or private
13 employers.

14 C. The child care centers ~~shall~~ may be operated through a
15 contract with child care providers. Specifications for a contract
16 shall be developed with the assistance of, and subject to the
17 approval of, the Director ~~of the Office of Management and Enterprise~~
18 ~~Services~~. Any such contract shall be made through the Central
19 Purchasing Division of the Office of Management and Enterprise
20 Services. The low bid ~~will~~ shall not be the single qualifier. Any
21 child care provider shall be required to carry sufficient liability
22 insurance coverage which will pay damages incurred as a result of
23 the negligent acts or omissions of an employee of the child care
24 provider within the scope of the employment of such person. Any

1 child care provider shall meet or exceed applicable state child care
2 facilities licensure standards.

3 D. Nothing in this section shall prevent the Director from
4 utilizing ~~paragraph 13 of Section 85.5 of this title and paragraph 3~~
5 ~~of subsection A of Section 85.7 of this title~~ such authority as may
6 be provided by law to continue the operation of a child care center
7 with emergency contracts when the service provider's contract is
8 canceled or terminated before another qualified service provider is
9 procured. The employees of the ~~Office of Management and Enterprise~~
10 ~~Services~~ Department shall not be employed to operate the centers.

11 E. Any parent utilizing the services of a child care center
12 shall be responsible for the charges assessed by the child care
13 provider for child care services.

14 SECTION 4. AMENDATORY 74 O.S. 2021, Section 4192, is
15 amended to read as follows:

16 Section 4192. There is hereby created in the State Treasury a
17 revolving fund for the ~~Office of Management and Enterprise Services~~
18 Department of Human Services, to be designated the "Child Care
19 Revolving Fund". The fund shall be a continuing fund, not subject
20 to fiscal year limitations, and shall consist of all monies received
21 by the ~~Office of Management and Enterprise Services~~ Department, from
22 appropriations or fees. All monies accruing to the credit of ~~said~~
23 the fund are hereby appropriated and may be budgeted and expended by
24 the ~~Office of Management and Enterprise Services~~ Department for the

1 purpose of establishing and administering child care centers. All
2 expenditures from said revolving fund shall be made upon warrants
3 issued by the State Treasurer against claims filed as prescribed by
4 law with the Director of the Office of Management and Enterprise
5 Services for approval and payment.

6 SECTION 5. This act shall become effective November 1, 2023.

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