

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 2967

By: Gann

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5  
6 AS INTRODUCED

7 An Act relating to public finance; creating the  
8 Defending the Integrity of the Appropriations Process  
9 and the Verbal Earmarks Transparency Act of 2024;  
10 amending 62 O.S. 2021, Section 34.42, which relates  
11 to budget work programs; requiring executive officer  
12 to certify agency compliance; requiring certain  
13 disclosure by executive officer; providing  
14 requirements of disclosure; defining term; providing  
15 for noncodification; providing for codification; and  
16 providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law not to be  
19 codified in the Oklahoma Statutes reads as follows:

20 This section shall be known and may be cited as the "Defending  
21 the Integrity of the Appropriations Process and the Verbal Earmarks  
22 Transparency Act of 2024".

23 SECTION 2. AMENDATORY 62 O.S. 2021, Section 34.42, is  
24 amended to read as follows:

Section 34.42 A. On or before the first day of June in each  
year, or as soon thereafter as possible, all agencies shall file

1 agency budgets with the Director of the Office of Management and  
2 Enterprise Services. Copies of all agency budgets shall also be  
3 made available electronically to the staff of the Joint Legislative  
4 Committee on Budget and Program Oversight.

5 B. The required instructions, content and format of agency  
6 budgets shall be developed by the staff of the Budget Division of  
7 the Office of Management and Enterprise Services.

8 C. 1. The agency budget shall include a description of all  
9 funds available to the agency for expenditure and set out allotments  
10 requested by the agency by quarter and the entire fiscal year.

11 2. The agency budget shall be accompanied by an organizational  
12 chart of the agency, a statement of agency mission and program  
13 objectives.

14 3. The agency budget shall delineate agency spending by such  
15 categories and with at least as much detail as is specified in the  
16 legislative appropriation and as prescribed by the Director of the  
17 Office of Management and Enterprise Services.

18 4. Agency budgets shall be signed by the executive officer of  
19 each agency.

20 5. The executive officer shall certify that the agency is in  
21 complete compliance with the requirements of Section 3 of this act.

22 D. A "request officer" shall be designated by each state agency  
23 for the purpose of making program and allotment requests.

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1 E. Executive officers of agencies shall cooperate with the  
2 Office of Management and Enterprise Services staff and Joint  
3 Committee staff in developing program budgeting categories.

4 F. All funds available or expected to be made available to any  
5 agency, including nonfiscal appropriations, shall not be available  
6 for expenditure until the request officer of the agency has complied  
7 with the applicable provisions of the Oklahoma State Finance Act and  
8 has received approval of such request for funds from the Director of  
9 the Office of Management and Enterprise Services.

10 G. The provisions of this section shall not apply to CompSource  
11 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot  
12 program authorized by Sections 3316 and 3317 of Title 74 of the  
13 Oklahoma Statutes.

14 SECTION 3. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 34.42.2 of Title 62, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. An agency executive officer shall disclose, within seventy-  
18 two (72) hours, his or her awareness of any communication that  
19 occurs between a member of the Legislature, or an employee of the  
20 same, and the executive officer or an agency employee, during which  
21 the legislator or employee suggests the manner in which state funds  
22 should be expended. Such disclosure shall be made with the State  
23 Ethics Commission and shall be posted to the Commission's website.  
24 The disclosure shall include, at a minimum, but not be limited to,

1 the approximate time and date of the communication, the nature of  
2 the suggested expenditure, and the identity of the legislator or  
3 employee proffering the suggestion.

4 B. For purposes of this section, "executive officer" means the  
5 director of any office, officer, bureau, board, counsel, court,  
6 commission, institution, unit, division, body or house of the  
7 executive or judicial branches of the state government, whether  
8 elected or appointed, excluding political subdivisions of the state,  
9 the State Legislature, and the Office of the Governor.

10 SECTION 4. This act shall become effective November 1, 2024.

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