

An Act

ENROLLED SENATE
BILL NO. 283

By: Rader of the Senate

and

Kendrix of the House

An Act relating to The Oklahoma State System of Higher Education; amending 62 O.S. 2021, Section 34.53, which relates to the Oklahoma State Finance Act; updating statutory reference; amending 70 O.S. 2021, Section 3206.6a, which relates to the master lease program; expanding annual transaction limit to include certain refunded projects; updating statutory language; and providing an effective date.

SUBJECT: Master lease program

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

SECTION 1. AMENDATORY 62 O.S. 2021, Section 34.53, is amended to read as follows:

Section 34.53. A. 1. The Oklahoma State System of Higher Education, established by Article XIII-A of the Oklahoma Constitution, shall operate an allotment system similar to the procedure set out in the Oklahoma State Finance Act for other agencies of the state except that the Oklahoma State Regents for Higher Education shall be substituted for the Director of the Office of Management and Enterprise Services in connection with approving allotment requests of the constituent institutions comprising The Oklahoma State System of Higher Education.

2. The account classification for the State System of Higher Education shall conform as nearly as possible with the

classification of accounts recommended by the National Committee on Standard Reports for Institutions of Higher Education.

3. The Board of Regents shall allocate to each institution under its control from the consolidated, or lump sum appropriation made by the Legislature, an amount sufficient to meet the needs and functions of each institution for the entire year.

4. The amount allocated to each institution for each fiscal year in accordance with Article XIII-A of the Oklahoma Constitution, shall be made in a lump sum without regard to uniform budget or accounting classifications, but shall not be available for expenditure until subsequently allotted by the Regents in accordance with the uniform budget and accounting classifications recommended by the National Committee on Standard Reports.

B. The Oklahoma State Regents for Higher Education may reduce the allocation of funds which could otherwise be made to an institution within The Oklahoma State System of Higher Education in order to make payments for leases within the lease financing program authorized by Section ~~3206.5~~ 3206.6a of Title 70 of the Oklahoma Statutes.

C. 1. The Regents, with the approval of the Director of the Office of Management and Enterprise Services, may allot money to any constituent institution to set up and operate a petty cash fund at ~~said~~ such institution. Such petty cash fund shall be reimbursed upon the filing of claims showing the purposes for which the funds were expended.

2. The Division of Central Accounting and Reporting shall make cash allocations of revenue in accordance with Section 23 of Article X of the Oklahoma Constitution, to each of the constituent institutions. These cash allocations shall be based on the allocations made by the Regents to each institution from the lump sum legislative appropriations and such allocation shall be the total appropriation for each institution, in lieu of legislative appropriations.

3. After these funds have been allocated and allotted as provided in this section, all institutional income shall operate as a continuing nonfiscal appropriation which may be spent for any

educational and general purposes for which appropriated funds may be spent. "Institutional income" for such purposes shall mean all income available for educational and general purposes, as defined in the uniform budget and accounting classifications recommended by the National Committee on Standard Reports, and including income defined by law as revolving fund income. Expenditures shall be limited to the extent that obligations as they are incurred may not exceed the unencumbered balance of cash on hand in accordance with Section 23 of Article X of the Oklahoma Constitution.

D. 1. At least thirty (30) days prior to the beginning of each fiscal year, each of the constituent institutions shall file with the Regents its request for appropriation allotments for each of the purposes for which expenditures are to be made.

2. Such requests shall be broken down to conform to the uniform budget or accounting classifications recommended by the National Committee on Standard Reports.

3. Each institution's request for appropriation allotments shall show the amount required to finance each item of the request for the entire year and for each quarter or each ~~six-months~~ six-month period within the fiscal year, as required by the Director of the Office of Management and Enterprise Services.

E. The Regents, or the official or employee who has been authorized to approve itemized allotment requests, shall consider the allotment requests for the purpose of making a determination whether:

1. The current financial requirements of the institution concerned justify the allotment to be made;

2. The accounting classification is sufficient to reflect the purpose for which expenditures are to be made and that such classification is in accordance with the budget classifications adopted by the Director of the Office of Management and Enterprise Services and the Regents, which shall conform as nearly as possible to the account classification recommended by the National Committee on Standard Reports for Institutions of Higher Education; and

3. The realization of estimated revenues determined by the Director of the Office of Management and Enterprise Services is sufficient to allow the commitments to be made.

F. 1. In allotting appropriations and other funds, and approving subsequent allotments which may be required by each institution, the Regents shall follow the same general procedure set forth in the Oklahoma State Finance Act for other agencies of the state not under the control of ~~said~~ the Regents, except as otherwise provided in this section.

2. All forms and account classifications shall be mutually agreed upon by the Director of the Office of Management and Enterprise Services and the State Regents.

3. The Regents shall file approved requests of constituent institutions with the Division of Central Accounting and Reporting and such requests shall be entered on the records of the Office of Management and Enterprise Services in the same manner as is provided in the Oklahoma State Finance Act for other agencies of the state.

4. The State Regents and the Director of the Office of Management and Enterprise Services shall approve any request from the administrative head of a constituent institution for amendment of the approved schedule of positions and salaries, or transfers between items, so long as the currently approved allotment for such purposes is not exceeded. Each such amendment shall be filed with the Office of Management and Enterprise Services, in such detail as may be required, prior to the date on which the first payroll or other disbursement affected by such amendment or transfer is submitted for payment.

G. 1. In the event that the realization of estimated revenues at any time during the fiscal year indicates that the total revenue for that fiscal year to any state fund will be insufficient at the end of the fiscal year to meet the total appropriations from that fund, the Director of the Office of Management and Enterprise Services shall notify the Oklahoma State Regents for Higher Education as to the amount of reduction necessary against the consolidated, or lump sum appropriations, made to the Regents.

2. The Regents, in making itemized allotments during the fiscal year, may reserve an amount sufficient to meet a reasonable failure of revenue until receipt of notice from the Director of the Office of Management and Enterprise Services that the realization of estimated revenues indicates that the total appropriation may be allotted for expenditure. Upon receipt of notice from the Director of the Office of Management and Enterprise Services of a necessary reduction in the consolidated, or lump sum appropriation, to meet a failure in revenue, the Oklahoma State Regents for Higher Education shall immediately take action to control the approval of subsequent allotment requests sufficient to make the aggregate reduction in allotments of all constituent institutions under their control equal the amount of reduction ordered against the lump sum appropriation made by the Legislature. Such reductions against the lump sum appropriation shall not exceed the percentage reduction ordered against other agencies of the state in accordance with Section 23~~7~~ of Article ~~10~~7, X of the Oklahoma Constitution.

SECTION 2. AMENDATORY 70 O.S. 2021, Section 3206.6a, is amended to read as follows:

Section 3206.6a. A. The Oklahoma State Regents for Higher Education may finance acquisition of or improvements to, or refinance or restructure outstanding obligations for real property pursuant to the master lease program. The funds used by the Regents for the purposes authorized by this section shall be available for lease transactions having a term that is no more than the useful life of any real property or improvements acquired by institutions pursuant to the provisions of this section, and in no event, more than thirty (30) years.

B. After May 24, 2005, any bonds issued pursuant to this section shall be subject to the approval of the Legislature as provided by this subsection. The Oklahoma State Regents for Higher Education shall submit an itemized list of the proposed projects and the terms of the financing to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the ~~State~~ Senate and all members of the Legislature within the first seven (7) legislative days of an annual legislative session and prior to the time any such obligations are sold. The submission to such elected officials shall occur upon the same date for purposes of computing the time within which action must be taken as further prescribed by

this subsection. The Legislature shall have a period of forty-five (45) calendar days from the date on which the information is submitted to pass a concurrent resolution disapproving all or part of the proposed issuance. If the Legislature does not disapprove the proposed issuance by concurrent resolution by the end of the forty-fifth day following the date upon which the proposed issuance is submitted, the proposed issuance shall be deemed to have been approved by the Legislature.

C. The amount of transactions financed in a calendar year through the real property master lease program authorized by this section shall not exceed the combined total of:

1. The submission described in subsection B of this section, or portion thereof, approved by the Legislature;

2. Any issuance for additional proposed individual projects submitted by institutions under the coordination of the Oklahoma State Regents for Higher Education and approved by the Legislature;
~~and~~

3. Any projects approved by the Legislature in a prior calendar year for which no financing action was taken in the prior calendar year; and

4. Any projects refunded from a previous issuance.

SECTION 3. This act shall become effective November 1, 2025.

Passed the Senate the 17th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 29th day of April, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____