

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 2075

By: Steagall, **Luttrell** and **Pae**

7 AS INTRODUCED

8 An Act relating to state government; amending 74 O.S.
9 2011, Section 500.2, as last amended by Section 2,
10 Chapter 76, O.S.L. 2016 (74 O.S. Supp. 2018, Section
11 500.2), which relates to reimbursable expenses;
12 authorizing the Oklahoma Department of Veterans
 Affairs to contract for specified goods and services;
 providing for direct payment; requiring expenditure
 report; limiting cost for reimbursement to total
 daily rate; and providing an effective date.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 500.2, as
17 last amended by Section 2, Chapter 76, O.S.L. 2016 (74 O.S. Supp.
18 2018, Section 500.2), is amended to read as follows:

19 Section 500.2 A. Officials and employees of the state,
20 traveling on authorized state business, may be reimbursed for
21 expenses incurred in such travel in accordance with the provisions
22 of the State Travel Reimbursement Act and existing statutes relating
23 to state travel. Persons who are not state employees, but who are
24 performing substantial and necessary services to the state which

1 have been directed or approved by the appropriate department
2 official shall enjoy the protection of the sovereign immunity of the
3 state to the same extent as a paid employee. Such persons may be
4 reimbursed for expenses incurred during authorized official travel
5 under these same statutory provisions, provided it is indicated on
6 the claim the person is not a state employee, a description of
7 services performed is entered, and the agency head by approval of
8 the claim certifies such services were substantial and necessary,
9 and germane to the duties and functions of the reimbursing agency.
10 Travel expenses incurred by a person during the course of seeking
11 employment with a state agency, unless such travel is performed at
12 the request of the employing agency, shall not be considered
13 expenses incurred in performing substantial and necessary services
14 to the state and shall not be reimbursed under the provisions of the
15 State Travel Reimbursement Act.

16 B. The chief administrative officer of the Department of Public
17 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
18 State Bureau of Narcotics and Dangerous Drugs Control, the Military
19 Department of the State of Oklahoma, the Department of Corrections,
20 the Office of Management and Enterprise Services, the Alcoholic
21 Beverage Laws Enforcement Commission, the Oklahoma Department of
22 Agriculture, Food, and Forestry, the Oklahoma Department of
23 Emergency Management, the State Fire Marshal, and the State
24 Department of Health may arrange for and charge meals and lodging

1 for a contingent of state personnel moved into an area for the
2 purpose of preserving the public health, safety, or welfare or for
3 the protection of life or property. The cost for meals or lodging
4 so charged shall not exceed the amount authorized in the State
5 Travel Reimbursement Act. The chief administrative officer of each
6 agency involved in such an operation shall require the vendor
7 furnishing meals, lodging, or both meals and lodging to submit an
8 itemized statement for payment. When a claim for lodging is made
9 for a contingent of state personnel, individual members of the
10 contingent may not submit a claim for lodging. When a claim for
11 meals is made for a contingent of state personnel, individual
12 members of the contingent may not submit a claim for meals.

13 C. The Oklahoma Department of Commerce, the Oklahoma Center for
14 the Advancement of Science and Technology, and the Oklahoma
15 Department of Agriculture, Food, and Forestry are hereby authorized
16 to enter into contracts and agreements for the payment of food,
17 lodging, meeting facility and beverage expenses as may be necessary
18 for sponsoring seminars and receptions relating to economic
19 development and science and technology issues. Such expenses may be
20 paid directly to the contracting agency or business establishment.
21 The Director of the Oklahoma Department of Commerce, the President
22 of the Oklahoma Center for the Advancement of Science and
23 Technology, and the Commissioner of Agriculture shall each provide a
24 quarterly report of such expenditures to the Governor, the Speaker

1 of the House of Representatives and the President Pro Tempore of the
2 Senate.

3 D. The Native American Cultural and Educational Authority is
4 hereby authorized to enter into contracts and agreements for the
5 payment of food, lodging, and meeting facility as may be necessary
6 to pursue the promotion of fundraising, marketing, and development
7 of Native American educational programs and cultural projects, or to
8 sponsor luncheons, seminars, and receptions relating to Native
9 American educational, cultural, museum, and economic development
10 issues. Such expenses may be paid directly to the contracting
11 agency or business establishment. The Executive Director of the
12 Native American Cultural and Educational Authority shall provide a
13 monthly report of expenditures to the Native American Cultural and
14 Educational Authority Board.

15 E. For purposes of this section:

16 1. "State agency" means any constitutionally or statutorily
17 created state board, commission, or department, including the
18 Legislature and the Courts;

19 2. State agencies are authorized to enter into contracts and
20 agreements for the payment of food and lodging expenses as may be
21 necessary for employees or other persons who are performing
22 substantial and necessary services to the state by attending
23 official conferences, meetings, seminars, workshops, or training
24 sessions or in the performance of their duties. Such expenses may

1 be paid directly to the contracting agency or business
2 establishment, provided the meeting qualifies for overnight travel
3 for the employees and the cost for food and lodging for each
4 employee shall not exceed the total daily rate as provided in the
5 State Travel Reimbursement Act;

6 3. State agencies are authorized to enter into contracts and
7 agreements for the payment of conference registration expenses as
8 may be necessary for employees or other persons who are performing
9 substantial and necessary services to the state by attending
10 official conferences, meetings, seminars, workshops, or training
11 sessions. Such expenses may be paid directly to the contracting
12 agency or business establishment; and

13 4. State agencies are authorized to enter into contracts and
14 agreements for the payment of food and lodging expenses as may be
15 necessary for employees attending an official course of instruction
16 or training conducted or sponsored by any state agency. Expenses
17 may be paid directly to the contracting agency or business
18 establishment. The cost for food and lodging for each employee
19 shall not exceed the total daily rate as provided in the State
20 Travel Reimbursement Act.

21 F. State agencies are authorized to make direct purchases of
22 commercial airline tickets for use by employees in approved out-of-
23 state travel. Each claim or invoice submitted to the Director of
24 the Office of Management and Enterprise Services for the payment of

1 the purchase shall bear the airline identifying ticket number, the
2 name of the airline, total cost of each ticket purchased, class of
3 accommodation and name of the employee for whom the ticket was
4 purchased, and shall be filed on claim forms as prescribed by the
5 Director of the Office of Management and Enterprise Services. The
6 employee shall sign an affidavit stating that the employee used a
7 direct purchase commercial airline ticket received for his or her
8 approved out-of-state travel, or in lieu of the affidavit, the
9 employee may file a travel claim in connection with said airline
10 flight.

11 G. 1. The Director of the Office of Management and Enterprise
12 Services is hereby authorized to enter into contracts and agreements
13 for the payment of food, lodging, and other authorized expenses as
14 may be necessary to host, conduct, sponsor, or participate in
15 conferences, meetings, or training sessions. The Director may
16 establish accounts as necessary for the collection and distribution
17 of funds, including funds of sponsors and registration fees, related
18 to such conferences, meetings, and training sessions. Expenses
19 incurred may be paid directly to the contracting agency or business
20 establishment.

21 2. The cost of food for persons attending any conferences,
22 meetings, and training sessions that do not require overnight travel
23 shall not exceed the total daily rate as provided in the State
24 Travel Reimbursement Act.

1 H. 1. The Commissioner of the Department of Mental Health and
2 Substance Abuse Services is hereby authorized to enter into
3 contracts and agreements for the payment of food, lodging, and other
4 authorized expenses as may be necessary to host, conduct, sponsor,
5 or participate in conferences, meetings, or training sessions. The
6 Commissioner may establish accounts as necessary for the collection
7 and distribution of funds, including funds of sponsors and
8 registration fees, related to such conferences, meetings, and
9 training sessions. Any expenses incurred may be paid directly to
10 the contracting agency or business establishment.

11 2. The cost of food for persons attending any conferences,
12 meetings, and training sessions that do not require overnight travel
13 shall not exceed the total daily rate as provided in the State
14 Travel Reimbursement Act.

15 I. The Oklahoma Indigent Defense System is hereby authorized to
16 enter into contracts and agreements for the payment of lodging as
17 necessary for employees to carry out their duties in representing
18 any client whom the System has been properly appointed to represent.
19 Such expenses may be paid directly to the contracting agency or
20 business establishment. The cost for lodging for each employee
21 shall not exceed the daily rate as provided in the State Travel
22 Reimbursement Act.

23 J. The Oklahoma Tourism and Recreation Department is hereby
24 authorized to enter into contracts and agreements for the payment of

1 food, lodging, and meeting facility and beverage expenses as may be
2 necessary for seminars and receptions relating to familiarization
3 tours and tourism development. The expenses may be paid directly to
4 the contracting agency or business establishment. The Executive
5 Director of the Oklahoma Tourism and Recreation Department shall
6 provide a monthly report of any such expenditures to the Oklahoma
7 Tourism and Recreation Commission.

8 K. The Oklahoma Tourism and Recreation Department is hereby
9 authorized to enter into contracts and agreements for the payment of
10 exhibitor fees and display space charges at expositions to promote
11 the Department's recreational facilities and the tourism and
12 recreation industry. The expenses may be paid directly to the
13 contracting agency or business establishment; provided that no
14 payment shall be made prior to the event unless it conveys a
15 property right to the state for future availability and use.

16 L. 1. The Oklahoma Highway Safety Office of the Department of
17 Public Safety is hereby authorized to enter into contracts and
18 agreements for the payment of food, lodging, and other authorized
19 expenses as may be necessary, to host, conduct, sponsor, or
20 participate in highway-safety-related conferences, workshops,
21 seminars, meetings, or training sessions. The payments shall be for
22 all persons in attendance, including, but not limited to, employees
23 of political subdivisions or employees of the state or federal
24 government. For purposes specified in this paragraph, only federal

1 highway safety funds may be used in accordance with federal
2 guidelines and regulations, and no appropriated state funds shall be
3 used.

4 2. The cost of food for persons attending any highway safety
5 conferences, workshops, seminars, meetings, and training sessions
6 that do not require overnight travel shall not exceed the total
7 daily rate as provided in the State Travel Reimbursement Act.

8 M. 1. The Director of the Oklahoma State Bureau of
9 Investigation is hereby authorized to enter into contracts and
10 agreements for the payment of food, lodging and other authorized
11 expenses as may be necessary to host, conduct, sponsor or
12 participate in any conference, meeting, training session or
13 initiative to promote the mission and purposes of the Bureau. The
14 payments may be for all persons in attendance, including, but not
15 limited to, employees of political subdivisions or employees of the
16 state or federal government.

17 2. The cost of food for persons that do not require overnight
18 travel shall not exceed the total daily rate as provided in the
19 State Travel Reimbursement Act.

20 N. The Oklahoma Homeland Security Director is hereby authorized
21 to enter into contracts and agreements for the payment of food,
22 lodging and other authorized expenses as may be necessary to host,
23 conduct, sponsor, or participate in homeland-security-related
24 conferences, meetings, workshops, seminars, exercises or training

1 sessions. The expenses may be paid directly to the contracting
2 agency or business establishment.

3 O. 1. The Insurance Commissioner of the Insurance Department
4 of the State of Oklahoma is hereby authorized to enter into
5 contracts and agreements for the payment of food, lodging, and other
6 authorized expenses as may be necessary to host, conduct, sponsor,
7 or participate in conferences, meetings, or training sessions. The
8 Commissioner may establish accounts as necessary for the collection
9 and distribution of funds, including funds of sponsors and
10 registration fees, related to such conferences, meetings, and
11 training sessions. Any expenses incurred may be paid directly to
12 the contracting agency or business establishment.

13 2. The cost of food for persons attending any conferences,
14 meetings, and training sessions that do not require overnight travel
15 shall not exceed the total daily rate as provided in the State
16 Travel Reimbursement Act.

17 P. 1. The State Regents for Higher Education is hereby
18 authorized to enter into contracts and agreements for the payment of
19 food, lodging, and other authorized expenses as may be necessary to
20 host, conduct, sponsor, or participate in conferences, meetings, or
21 training sessions. The State Regents for Higher Education may
22 establish accounts as necessary for the collection and distribution
23 of funds, including funds of sponsors and registration fees, related
24 to such conferences, meetings, and training sessions. Any expenses

1 incurred may be paid directly to the contracting agency or business
2 establishment.

3 2. The cost of food for persons attending any conferences,
4 meetings, and training sessions that do not require overnight travel
5 shall not exceed the total daily rate as provided in the State
6 Travel Reimbursement Act.

7 Q. 1. The Office of Educational Quality and Accountability is
8 hereby authorized to enter into contracts and agreements for the
9 payment of food, lodging, and other authorized expenses as may be
10 necessary to host, conduct, sponsor, or participate in conferences,
11 meetings, or training sessions. The Office of Educational Quality
12 and Accountability may establish accounts as necessary for the
13 collection and distribution of funds, including funds of sponsors
14 and registration fees, related to such conferences, meetings, and
15 training sessions. Any expenses incurred may be paid directly to
16 the contracting agency or business establishment.

17 2. The cost of food for persons attending any conferences,
18 meetings, and training sessions that do not require overnight travel
19 shall not exceed the total daily rate as provided in the State
20 Travel Reimbursement Act.

21 R. 1. The Department of Securities is hereby authorized to
22 enter into contracts and agreements for the payment of food,
23 lodging, meeting facility, facilitator fees and travel expenses,
24 exhibitor fees and other authorized expenses as may be necessary to

1 host, conduct, sponsor or participate in conferences, meetings,
2 training sessions or initiatives promoting or otherwise relating to
3 investor education. The Department of Securities may establish
4 accounts as necessary for the collection and distribution of funds,
5 including funds of sponsors and registration fees, relating to such
6 conferences, meetings, training sessions or initiatives. The
7 payments may be for all persons in attendance, including, but not
8 limited to, employees of the state or federal government or
9 employees of political subdivisions of the state, including
10 employees of boards of public education. Expenses incurred may be
11 paid directly to the contracting agency or business establishment.

12 2. The cost of food for persons attending any conferences,
13 meetings and training sessions that do not require overnight travel
14 shall not exceed the total daily rate as provided in the State
15 Travel Reimbursement Act.

16 3. The Department of Securities is hereby authorized to pay
17 stipends to teachers participating in the investor education program
18 and monetary achievement awards to select participating students.
19 No appropriated state funds shall be used.

20 S. 1. The Oklahoma Department of Veterans Affairs is hereby
21 authorized to enter into contracts and agreements for the payment of
22 food, lodging, meeting facility, beverage and other authorized
23 expenses as may be necessary to host, conduct, sponsor or
24 participate in seminars, receptions, conferences, meetings or

1 training sessions relating to the support of veterans and the
2 development of veterans' services. Expenses incurred may be paid
3 directly to the contracting agency or business establishment. The
4 Executive Director of the Oklahoma Department of Veterans Affairs
5 shall provide a monthly report of any such expenditures to the
6 Oklahoma Veterans Commission.

7 2. The cost of food for persons attending any conferences,
8 meetings and training sessions that do not require overnight travel
9 shall not exceed the total daily rate as provided in the State
10 Travel Reimbursement Act.

11 T. Whenever possible it shall be the policy of each state
12 agency to prepay airline fares and lodging expenses using a purchase
13 card issued to the agency. This policy shall apply to instances
14 where employees of the agency are traveling on behalf of state
15 government.

16 SECTION 2. This act shall become effective November 1, 2019.

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18 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS,
19 dated 02/11/2019 - DO PASS, As Coauthored.
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