

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2079

By: Steagall

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8 COMMITTEE SUBSTITUTE

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10 An Act relating to state government; amending 74 O.S.
11 2011, Section 213.2, as amended by Section 844,
12 Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2018, Section
13 213.2), which relates to performance audits;
14 modifying provisions related to certain examinations
15 by the State Auditor and Inspector; providing an
16 effective date; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 74 O.S. 2011, Section 213.2, as
19 amended by Section 844, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
20 2018, Section 213.2), is amended to read as follows:

21 Section 213.2 A. There is hereby created in the Office of the
22 State Auditor and Inspector a Performance Audit Division, subject to
23 the discretion of the State Auditor and Inspector. An Assistant
24 State Auditor and Inspector may be appointed to direct the

1 operations of the Division, subject to the supervision and control
2 of the State Auditor and Inspector at all times.

3 B. The State Auditor and Inspector, deputies and agents of the
4 Performance Audit Division may examine all books and accounts of all
5 public officers, institutions and other governmental entities
6 specified in Sections 212 through 227.9 of this title to instruct
7 the proper officers thereof in the performance of their duties and
8 to prescribe cost-effective methods of operating such governmental
9 entities; ~~provided, however,~~ Further, the State Auditor and
10 Inspector shall also perform the examinations authorized in this
11 subsection upon receiving a written request to do so by the
12 Governor, the chief executive officer of a governmental entity or
13 pursuant to a joint or concurrent resolution of the Legislature. A
14 copy of the examination shall be given to the examined entity. A
15 copy of any examination conducted pursuant to this subsection shall
16 be submitted to the Governor, the Speaker of the House of
17 Representatives, the President Pro Tempore of the Senate, the
18 appropriations and budget chairs of the House of Representatives and
19 the Senate, and the Minority Leader of the House of Representatives
20 and of the Senate.

21 C. The cost of the examinations authorized pursuant to
22 subsection B of this section shall be borne by the examined agency
23 in an amount not to exceed the actual costs of the examination.
24 Prior to the start of such an examination, the State Auditor and

1 Inspector shall prepare in writing and present to the affected state
2 agency an estimate of the cost of the examination. If the estimate
3 requires revision, the State Auditor and Inspector shall notify the
4 agency in a prompt manner. Except as otherwise provided, the State
5 Auditor and Inspector shall recover its costs for the examination
6 pursuant to monthly progress billings presented by the State Auditor
7 and Inspector to the Office of Management and Enterprise Services
8 detailing current monthly costs for each examination. In addition,
9 the State Auditor and Inspector shall provide a copy of the billing
10 to the affected state agency. The Office of Management and
11 Enterprise Services may deduct the amounts billed from the next
12 subsequent allotment for the corresponding state agency and transfer
13 the funds to the State Auditor and Inspector Revolving Fund.

14 D. The salaries and traveling expenses of the Assistant State
15 Auditor and Inspector, deputies and agents of the Performance Audit
16 Division and the costs of material, supplies and equipment for the
17 Division shall be paid from funds made available through
18 appropriation by the Legislature.

19 E. The State Auditor and Inspector shall submit an annual
20 report of the Performance Audit Division to the Governor, the
21 President Pro Tempore of the Senate, the Speaker of the House of
22 Representatives, appropriations and budget chairs of the House of
23 Representatives and the Senate, and the Minority Leader of the
24 Senate and of the House of Representatives.

1 SECTION 2. This act shall become effective July 1, 2019.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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7 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT EFFICIENCY, dated
8 02/20/2019 - DO PASS, As Amended.
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