

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 2484

By: McCall and **Lawson** of the
House

5 and

6 **Treat** of the Senate

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10 AS INTRODUCED

11 An Act relating to public finance; creating the
12 Office of Government Accountability; specifying
13 purpose and duties; providing for payment of expenses
14 of Office; creating oversight committee; providing
15 for membership of committee; providing procedures for
16 conduct of performance evaluations; defining term;
17 requiring coordination with work of Agency
18 Performance and Accountability Commission; specifying
19 duty of state agencies and institutions; providing
20 for confidentiality of certain records; requiring
21 certain reports and recommendations; providing for
22 codification; and declaring an emergency.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 8011 of Title 62, unless there
is created a duplication in numbering, reads as follows:

1 A. There is hereby created within the Legislative Service
2 Bureau the Office of Government Accountability. The purpose of the
3 Office shall be to assist the Legislature in performing its
4 constitutional and statutory function of ensuring that government
5 funds are expended in a fiscally responsible manner.

6 B. The Office of Government Accountability shall consist of
7 fifteen (15) persons, each of whom shall be employed pursuant to the
8 mutual agreement of the Speaker of the Oklahoma House of
9 Representatives and the President Pro Tempore of the Oklahoma State
10 Senate. The positions for the Office of Government Accountability
11 shall be initially filled not later than ninety (90) days after the
12 effective date of this act.

13 C. The operations of the Office shall be overseen by the
14 committee created in Section 3 of this act.

15 D. All expenses of the Office shall be paid by the Legislative
16 Service Bureau, subject to the approval of the President Pro Tempore
17 of the Senate and the Speaker of the House of Representatives.
18 Employees of the Office shall be employed by the Legislative Service
19 Bureau.

20 E. The Office of Government Accountability shall create and
21 maintain a website to provide public access to the financial
22 information and other documentation gathered by the Office of
23 Government Accountability.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 8012 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Office of Government Accountability shall conduct
5 performance evaluations. The oversight committee created in Section
6 3 of this act shall periodically identify specific executive branch
7 agencies, or programs, activities or functions within executive
8 branch agencies, for which the Office shall conduct a performance
9 evaluation. As used in this act, "performance evaluation" means an
10 examination of a program, activity or function of an executive
11 branch agency, conducted in accordance with applicable government
12 auditing standards or auditing and evaluation standards of other
13 appropriate authoritative bodies. The term includes, but is not
14 limited to, an examination of issues related to:

15 1. Economy, efficiency or effectiveness of the agency or
16 program, including any revenue sources used to fund or support the
17 agency or program;

18 2. Structure or design of the agency or program to accomplish
19 its goals and objectives;

20 3. Adequacy of the agency or program to meet the needs or
21 policy goals identified by the Legislature;

22 4. Alternative methods of providing agency or program services
23 or products;

1 5. Goals, objectives and performance measures used by the
2 agency to monitor and report agency or program accomplishments;

3 6. The accuracy or adequacy of public documents, reports or
4 requests prepared by or in relation to the agency or program;

5 7. Compliance with appropriate policies, rules or laws related
6 to the agency or program; and

7 8. Any other issues related to such agencies or programs as
8 directed by the oversight committee.

9 B. The Office of Government Accountability shall:

10 1. Gather information regarding the proposed budgets of
11 executive branch agencies each fiscal year;

12 2. Analyze the information and evaluate the extent to which the
13 agency budget does or does not fulfill the agency's primary duties
14 and responsibilities under applicable provisions of federal, state
15 or other law;

16 3. Analyze and forecast all revenues available to the agency
17 from appropriations, fees, dedicated revenue or any other source;

18 4. Compare the agency budget information to the comparable
19 information contained in that agency's budget requests from prior
20 fiscal years; and

21 5. Conduct such investigations regarding the operations of the
22 agency as required in order to fulfill the duties imposed upon the
23 Office of Government Accountability by law.
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1 C. The oversight committee shall monitor the work of the Agency
2 Performance and Accountability Commission and shall ensure that its
3 efforts do not duplicate the independent comprehensive performance
4 audits required in Section 8003 of Title 62 of the Oklahoma
5 Statutes; provided, if such an audit results in a finding that the
6 oversight committee determines merits additional review, it may
7 direct the Office to do so.

8 D. The Office shall perform such other duties as may be
9 mutually assigned by agreement of both the Speaker of the Oklahoma
10 House of Representatives and the President Pro Tempore of the
11 Oklahoma State Senate.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 8013 of Title 62, unless there
14 is created a duplication in numbering, reads as follows:

15 There is hereby created within the Legislature a committee to
16 oversee the operations of the Office of Government Accountability.
17 The committee shall consist of eight (8) members of the Legislature,
18 as follows:

19 1. Four members of the House of Representatives appointed by
20 the Speaker of the Oklahoma House of Representatives; and

21 2. Four members of the Senate appointed by the President Pro
22 Tempore of the Oklahoma Senate.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 8014 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Each agency or institution of the state shall, upon request,
5 furnish and make available to the Office of Government
6 Accountability all records, documents, materials, personnel,
7 information or other resources as the Office deems necessary to
8 conduct performance evaluations as required by this act. Any
9 record, document, material or other information made confidential by
10 law shall be provided to the Office, which shall also maintain such
11 confidentiality. All records, documents, materials or other
12 information of the Office shall be deemed to be a record of the
13 Legislature.

14 B. Each state agency and other affected persons shall cooperate
15 with the oversight committee and the Office in the providing of any
16 information requested. The oversight committee shall have the power
17 to conduct hearings, administer oaths, issue subpoenas and compel
18 the attendance of witnesses and the production of information as
19 provided in Section 773 of Title 74 of the Oklahoma Statutes.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 8015 of Title 62, unless there
22 is created a duplication in numbering, reads as follows:

23 The Office of Government Accountability shall prepare and submit
24 to the oversight committee a report of its findings for each

1 performance evaluation conducted. Such reports shall be available
2 to the public, other than with respect to any information or
3 material made confidential by law. The oversight committee may make
4 recommendations to the agency evaluated, or to the Legislature and
5 the Governor, for further action as it deems necessary, and may
6 direct the Office to monitor and report on implementation of such
7 recommendations.

8 SECTION 6. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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13 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT EFFICIENCY, dated
14 02/20/2019 - DO PASS, As Coauthored.
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