

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. 2747

By: Wallace and Hilbert of the
House

7
8 And

Thompson and Rader of the
Senate

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11 COMMITTEE SUBSTITUTE

12 An Act relating to public finance; amending 62 O.S.
13 2011, Section 34.64, as last amended by Section 1,
14 Chapter 252, O.S.L. 2015 (62 O.S. Supp. 2018, Section
15 34.64), which relates to the Oklahoma State Finance
16 Act; providing exceptions for certain Automated
17 Clearing House transactions; authorizing the Director
18 of the Office of Management and Enterprise Services
19 to establish certain procedures; and requiring state
20 agencies to provide certain notice to the State
21 Treasurer prior to authorizing certain transactions.

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

23 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.64, as
24 last amended by Section 1, Chapter 252, O.S.L. 2015 (62 O.S. Supp.
25 2018, Section 34.64), is amended to read as follows:

26 Section 34.64 A. Except as otherwise provided in the Oklahoma
27 State Finance Act and except for Automated Clearing House (ACH)

1 debits for transactional fees, procedures for paying claims or
2 payrolls shall include the following:

3 1. All miscellaneous claims and payroll claims for the payment
4 of money from the State Treasury shall be filed with the Director of
5 the Office of Management and Enterprise Services for audit and
6 settlement prior to being filed for payment with the State
7 Treasurer;

8 2. The Director of the Office of Management and Enterprise
9 Services may establish alternative procedures for the settlement of
10 claims whenever such procedures are more advantageous so long as
11 they are consistent with the requirements of state law;

12 3. Such alternative procedures shall be at the discretion of
13 the Director of the Office of Management and Enterprise Services and
14 may include, but are not limited to:

- 15 a. a procedure to permit consolidated payment to vendors
16 for claims involving more than one agency of the state
17 when audit and settlement of such claims, as
18 hereinafter provided, can in all respects be
19 accomplished,
- 20 b. procedures based upon valid statistical sampling
21 models for preaudit of claims, against contracts,
22 purchase orders and other commitments before entering
23 such claims against the accounts, and
24

1 c. policies, procedures and performance criteria for the
2 participation of agencies or departments, not
3 authorized by this section, to engage in an
4 alternative system for the settlement of claims; and

5 4. The Director of the Office of Management and Enterprise
6 Services may use a numeric or alphanumeric designation to cross-
7 reference claims or payrolls to check warrant numbers, transfer
8 entry or optional settlement mode used in the payment thereof.

9 B. ~~After~~ Except for ACH debits for transactional fees, after
10 claims or payrolls or both have been properly audited and recorded
11 against the respective contracts, purchase orders, other commitments
12 and accounts, the Division of Central Accounting and Reporting shall
13 certify such claims or payrolls to the State Treasurer for payment.

14 C. ~~It~~ Except for ACH debits for transactional fees, it shall be
15 the responsibility of the Division of Central Accounting and
16 Reporting to determine that:

17 1. All material legal requirements concerning the expenditure
18 of monies involved in each claim or payroll have been complied with;

19 2. Funds have been properly and legally allotted for the
20 payment of the claim or payroll; and

21 3. A sufficient balance exists for the payment of same.

22 D. The Director of the Office of Management and Enterprise
23 Services or bonded employees in the Division of Central Accounting
24

1 and Reporting authorized by the Director shall certify to the State
2 Treasurer that the claim or payroll has been approved for payment.

3 E. 1. The Director of the Office of Management and Enterprise
4 Services shall be authorized to establish necessary agency
5 disbursing funds to efficiently accommodate the cash flow
6 requirements of applicable federal regulations, bond indebtedness
7 and other directives deemed appropriate by the Director.

8 2. Agencies operating such disbursing funds are authorized to
9 establish a preaudit and settlement system for claims or payments or
10 both relating to the purposes of the stated directives.

11 3. The State Treasurer shall establish procedures for the state
12 in accordance with Federal Banking and National Automated Clearing
13 House Association standards and agencies shall be required to
14 utilize automated clearing house procedures established by the State
15 Treasurer.

16 4. No individual or entity shall be required to have a bank
17 account unless required by federal law or federal regulation.

18 5. Agencies shall be further required to present these
19 transactions to the Office of Management and Enterprise Services in
20 a summarized format and shall include any accounting information
21 necessary as determined by the Director of the Office of Management
22 and Enterprise Services including, but not limited to, information
23 related to federal law.
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1 6. Administrative expenditures shall not be eligible for these
2 procedures.

3 7. The efficiency of the payment system shall be considered
4 when the interest earnings of the state are not diminished.

5 F. The Director of the Office of Management and Enterprise
6 Services shall be authorized to process payments for federal tax
7 withholding without claim forms. The Director shall establish a
8 separate fund for the purpose of accumulating federal income tax
9 withholding from payrolls and remitting same to the United States
10 Treasury. Institutions under the administrative authority of the
11 Oklahoma State Regents for Higher Education which are responsible
12 for processing payments for federal tax withholding shall be
13 authorized to process such payments to the United States Treasury
14 without claim forms.

15 G. 1. The Director of the Office of Management and Enterprise
16 Services shall be authorized to process, without claim forms,
17 interest payments to the U.S. Treasury as required by federal law.

18 2. Agencies are responsible for the accrual of such interest
19 liability of the state and shall provide payment to the Office of
20 Management and Enterprise Services in the amount and method
21 prescribed by the Director of the Office of Management and
22 Enterprise Services.

23 3. Any liability of the U.S. Treasury as determined by federal
24 law shall be deposited in the State Treasury and transferred by the

1 Director of the Office of Management and Enterprise Services to the
2 General Revenue Fund of the state subsequent to final determination
3 and necessary audit resolution.

4 H. Payments disbursed from the State Treasury shall be conveyed
5 solely through an electronic payment mechanism. The State Treasurer
6 may provide an exemption from the provisions of this subsection,
7 with cause, provided the number of exempted payments and a
8 corresponding list of causes shall be published in a regularly
9 updated report which is featured prominently on the State
10 Treasurer's website.

11 I. Notwithstanding any other provision of the Oklahoma State
12 Finance Act and subject to any applicable restrictions in the
13 Oklahoma Constitution, the Director of the Office of Management and
14 Enterprise Services may establish procedures by which agencies may
15 contract for, incur and account for transaction-based fees, such as
16 fees for accepting credit cards, that may be processed by ACH debit
17 without claim forms, provided the agency has sufficient statutory
18 authority for purchase. Prior to authorizing ACH debit transactions
19 without claim forms, state agencies shall provide notice to the
20 State Treasurer.

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22 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
23 AND BUDGET, dated 05/16/2019 - DO PASS, As Amended.
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