

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 2911

By: Wallace and Hilbert of the  
House

6 and

7 Thompson and Hall of the  
8 Senate

9  
10 COMMITTEE SUBSTITUTE

11 An Act relating to public buildings and public works;  
12 amending 74 O.S. 2011, Section 9030.5, as amended by  
13 Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp.  
14 2020, Section 9030.5), which relates to art in public  
15 places; exempting the Oklahoma Department of Tourism;  
16 and providing an effective date.

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

18 SECTION 1. AMENDATORY 74 O.S. 2011, Section 9030.5, as  
19 amended by Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2020,  
20 Section 9030.5), is amended to read as follows:

21 Section 9030.5 A. 1. Except as otherwise provided by  
22 subsection C of this section, all state agencies, including  
23 institutions within The Oklahoma State System of Higher Education,  
24 all state departments, boards, councils, and commissions shall  
allocate, as a nondeductible item out of any expenditures for

1 capital projects including, but not limited to, bond issues for  
2 state construction excluding costs for bond issuance and related  
3 reserves, an amount of one and one-half percent (1 1/2%) of the  
4 expenditure to the Oklahoma Arts Council for the purpose of funding  
5 the Oklahoma Art in Public Places Act, except as otherwise provided  
6 by subsection B of this section.

7       2. The maximum assessment for any project shall not exceed Five  
8 Hundred Thousand Dollars (\$500,000.00). This assessment shall not  
9 apply to any private donations for a capital project. This  
10 allocation shall be applicable to all state agency capital projects  
11 approved by the appointing authority after September 1, 2004. The  
12 works of art commissioned pursuant to the Oklahoma Art in Public  
13 Places Act may be placed on public lands, integral to or attached to  
14 a public building or structure, or detached within or outside a  
15 public building or structure.

16       B. 1. Of the assessment provided for in subsection A of this  
17 section, four-fifths (4/5) shall be placed in the Commissioning of  
18 Art in Public Places Revolving Fund, created in Section 9030.6 of  
19 this title, for the commission of any work of art for the Oklahoma  
20 Art in Public Places Act. Institutions within The Oklahoma State  
21 System of Higher Education shall remain in complete administrative  
22 control of their four-fifths (4/5) assessment pursuant to this  
23 subsection for the acquisition of art. The remaining one-fifth  
24 (1/5) of the assessment shall be reserved for the Art in Public

1 Places Administrative and Maintenance Revolving Fund created by  
2 Section 9030.7 of this title.

3 2. Monies deposited in the Art in Public Places Administrative  
4 and Maintenance Revolving Fund for the purpose of this moratorium,  
5 shall be used for continued administration, educational costs, and  
6 maintenance.

7 C. The provisions of subsection A of this section shall not be  
8 applicable ~~for~~:

9 1. For the fiscal years ending:

10 ~~1. a.~~ June 30, 2012~~;~~

11 ~~2. b.~~ June 30, 2013~~;~~ and

12 ~~3. c.~~ June 30, 2014; and

13 2. To the Oklahoma Department of Tourism and Recreation.

14 SECTION 2. This act shall become effective November 1, 2021.

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