

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 4449

By: Wallace and Martinez of the  
House

6 and

7 Thompson and Hall of the  
8 Senate

9  
10  
11 COMMITTEE SUBSTITUTE

12 An Act relating to the Oklahoma Military Department;  
13 creating the Military Justice Revolving Fund;  
14 establishing nature of fund; declaring funds  
15 appropriated; authorizing expenditure for certain  
16 purpose; providing budgeting and expenditure  
17 requirements and limitations; amending 74 O.S. 2021,  
18 Section 9030.5, which relates to art in public  
19 places; exempting the Oklahoma Military Department  
20 from certain art allocation requirement; updating  
21 statutory outline; providing for codification;  
22 providing an effective date; and declaring an  
23 emergency.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 233.14 of Title 44, unless there  
is created a duplication in numbering, reads as follows:

1        There is hereby created in the State Treasury a revolving fund  
2 for the Oklahoma Military Department to be designated the "Military  
3 Justice Revolving Fund". The fund shall be a continuing fund, not  
4 subject to fiscal year limitations, and shall consist of all monies  
5 directed for deposit to the fund by law. All monies accruing to the  
6 credit of said fund are hereby appropriated and may be budgeted and  
7 expended by the Oklahoma Military Department for the purpose of  
8 prosecuting military misconduct as needed. Expenditures from said  
9 fund shall be made upon warrants issued by the State Treasurer  
10 against claims filed as prescribed by law with the Director of the  
11 Office of Management and Enterprise Services for approval and  
12 payment.

13        SECTION 2.        AMENDATORY        74 O.S. 2021, Section 9030.5, is  
14 amended to read as follows:

15        Section 9030.5 A. 1. Except as otherwise provided by  
16 subsection C of this section, all state agencies, including  
17 institutions within The Oklahoma State System of Higher Education,  
18 all state departments, boards, councils, and commissions shall  
19 allocate, as a nondeductible item out of any expenditures for  
20 capital projects including, but not limited to, bond issues for  
21 state construction excluding costs for bond issuance and related  
22 reserves, an amount of one and one-half percent (1 1/2%) of the  
23 expenditure to the Oklahoma Arts Council for the purpose of funding  
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1 the Oklahoma Art in Public Places Act, except as otherwise provided  
2 by subsection B of this section.

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

12 B. 1. Of the assessment provided for in subsection A of this  
13 section, four-fifths (4/5) shall be placed in the Commissioning of  
14 Art in Public Places Revolving Fund, created in Section 9030.6 of  
15 this title, for the commission of any work of art for the Oklahoma  
16 Art in Public Places Act. Institutions within The Oklahoma State  
17 System of Higher Education shall remain in complete administrative  
18 control of their four-fifths (4/5) assessment pursuant to this  
19 subsection for the acquisition of art. The remaining one-fifth  
20 (1/5) of the assessment shall be reserved for the Art in Public  
21 Places Administrative and Maintenance Revolving Fund created by  
22 Section 9030.7 of this title.

23 2. Monies deposited in the Art in Public Places Administrative  
24 and Maintenance Revolving Fund for the purpose of this moratorium

1 shall be used for continued administration, educational costs and  
2 maintenance.

3 C. The provisions of subsection A of this section shall not be  
4 applicable:

5 1. For the fiscal years ending:

- 6 a. June 30, 2012,
- 7 b. June 30, 2013, and
- 8 c. June 30, 2014; and

9 2. To the following:

- 10 a. the Oklahoma Tourism and Recreation Department, and
- 11 b. the Oklahoma Military Department.

12 SECTION 3. This act shall become effective July 1, 2022.

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

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