

1 ENGROSSED HOUSE
2 BILL NO. 4449

By: Wallace and Martinez of the
House

3 and

4 Thompson and Hall of the
5 Senate

6
7
8 An Act relating to the Oklahoma Military Department;
9 creating the Military Justice Revolving Fund;
10 establishing nature of fund; declaring funds
11 appropriated; authorizing expenditure for certain
12 purpose; providing budgeting and expenditure
13 requirements and limitations; amending 74 O.S. 2021,
14 Section 9030.5, which relates to art in public
15 places; exempting the Oklahoma Military Department
16 from certain art allocation requirement; updating
17 statutory outline; providing for codification;
18 providing an effective date; and declaring an
19 emergency.

20
21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

There is hereby created in the State Treasury a revolving fund
for the Oklahoma Military Department to be designated the "Military
Justice Revolving Fund". The fund shall be a continuing fund, not
subject to fiscal year limitations, and shall consist of all monies
directed for deposit to the fund by law. All monies accruing to the

1 credit of said fund are hereby appropriated and may be budgeted and
2 expended by the Oklahoma Military Department for the purpose of
3 prosecuting military misconduct as needed. Expenditures from said
4 fund shall be made upon warrants issued by the State Treasurer
5 against claims filed as prescribed by law with the Director of the
6 Office of Management and Enterprise Services for approval and
7 payment.

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

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

21 2. The maximum assessment for any project shall not exceed Five
22 Hundred Thousand Dollars (\$500,000.00). This assessment shall not
23 apply to any private donations for a capital project. This
24 allocation shall be applicable to all state agency capital projects

1 approved by the appointing authority after September 1, 2004. The
2 works of art commissioned pursuant to the Oklahoma Art in Public
3 Places Act may be placed on public lands, integral to or attached to
4 a public building or structure, or detached within or outside a
5 public building or structure.

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

17 2. Monies deposited in the Art in Public Places Administrative
18 and Maintenance Revolving Fund for the purpose of this moratorium
19 shall be used for continued administration, educational costs and
20 maintenance.

21 C. The provisions of subsection A of this section shall not be
22 applicable:

23 1. For the fiscal years ending:

24 a. June 30, 2012,

