

1 **SENATE FLOOR VERSION**

2 February 18, 2021

3 SENATE BILL NO. 949

By: Hall

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5  
6 An Act relating to the Oklahoma Film and Music  
7 Office; amending 74 O.S. 2011, Section 2236, as  
8 amended by Section 33, Chapter 227, O.S.L. 2013 (74  
9 O.S. Supp. 2020, Section 2236), which relates to the  
10 creation of the Oklahoma Film and Music Office;  
11 transferring the Oklahoma Film and Music Office to  
12 the Oklahoma Department of Commerce; requiring the  
13 transfer of certain administrative rules; requiring  
14 the Secretary of State to provide certain notice and  
15 make modification to the Administrative Code;  
16 providing prospective rulemaking authority to the  
17 Oklahoma Department of Commerce; authorizing the  
18 Oklahoma Department of Commerce to promulgate certain  
19 rules; amending 68 O.S. 2011, Sections 3623, as  
20 amended by Section 2, Chapter 313, O.S.L. 2019 and  
21 3624, as last amended by Section 3, Chapter 313,  
22 O.S.L. 2019 (68 O.S. Supp. 2020, Sections 3623 and  
23 3624), which relate to the Compete with Canada Film  
24 Act; clarifying statutory language; amending 74 O.S.  
2011, Section 500.18, as last amended by Section 10,  
Chapter 269, O.S.L. 2016 (74 O.S. Supp. 2020, Section  
500.18), which relates to the State Travel  
Reimbursement Act; authorizing the Oklahoma  
Department of Commerce to reimburse certain  
expenditures of the Oklahoma Film and Music Office;  
requiring the director of the Office of Management  
and Enterprise Services to coordinate the transfer of  
the Oklahoma Film and Music Office to the Oklahoma  
Department of Commerce; providing for  
noncodification; and providing an effective date.

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

1 SECTION 1. AMENDATORY 74 O.S. 2011, Section 2236, as  
2 amended by Section 33, Chapter 227, O.S.L. 2013 (74 O.S. Supp. 2020,  
3 Section 2236), is amended to read as follows:

4 Section 2236. A. There is hereby created within the ~~Department~~  
5 Oklahoma Department of Commerce, the Oklahoma Film and Music Office.  
6 The Office shall have the primary responsibility in state government  
7 for promoting the state as a location for producing motion pictures,  
8 television programs, videos and recording or performing music. The  
9 Office shall assist the motion picture, television and video film  
10 and music industries by providing production contacts in the state,  
11 suggesting possible filming, performing, publishing, and recording  
12 locations, and other activities that may be required to promote the  
13 state as a filming and music center. The Office shall develop  
14 resource guides, a database, and a web site. The Office shall  
15 develop listings of music festivals and music events being held in  
16 Oklahoma.

17 B. The Oklahoma Film and Music Office shall cooperate with  
18 other state and local offices as required to promote the film and  
19 music industries in this state.

20 C. The Oklahoma Film and Music Office shall establish a film  
21 production registration program. Under the program, film production  
22 companies shall be required to register with the Office prior to  
23 starting production on a film located in the state. The Office  
24 shall not require production companies to pay a fee for

1 registration. The purpose of the program shall be to allow the  
2 Office to accurately track the number of filming productions  
3 occurring in the state and the economic impact of those productions.

4 D. The Oklahoma Film and Music Office shall submit an annual  
5 report to the Governor, the Speaker of the House of Representatives,  
6 and the President Pro Tempore of the Senate prior to July 1 of each  
7 year regarding the activities of the Office. The report shall state  
8 the number of filming productions that the Office has helped bring  
9 to the state and the economic impact of those productions, and  
10 provide similar information concerning the efforts of the Office to  
11 promote the music industry in this state.

12 E. On the effective date of this act, all administrative rules  
13 promulgated by the Oklahoma Tourism and Recreation Department  
14 regarding the Oklahoma Film and Music Office shall be transferred to  
15 and become a part of the administrative rules of the Oklahoma  
16 Department of Commerce. The Office of Administrative Rules in the  
17 Office of the Secretary of State shall provide adequate notice in  
18 the Oklahoma Register of the transferred rules and shall place the  
19 transferred rules under the Administrative Code section of the  
20 Oklahoma Department of Commerce. On the effective date of this act,  
21 any amendment, repeal or addition to the transferred rules shall be  
22 under the rulemaking authority of the Oklahoma Department of  
23 Commerce. The Department of Commerce may enact rules to administer  
24 programs within the Oklahoma Film and Music Office.

1 SECTION 2. AMENDATORY 68 O.S. 2011, Section 3623, as  
2 amended by Section 2, Chapter 313, O.S.L. 2019 (68 O.S. Supp. 2020,  
3 Section 3623), is amended to read as follows:

4 Section 3623. As used in the Compete with Canada Film Act:

5 1. "Crew" means any person who works on preproduction,  
6 principal photography, and postproduction, with the exception of  
7 producers, principal cast, screenwriters, and the director. The  
8 qualifying salary of producers, principal cast, screenwriters, and  
9 the director, also known as "above-the-line personnel", may be  
10 included as crew if the salaries are paid to loan-out corporations  
11 and limited liability companies registered to do business in the  
12 State of Oklahoma or the salaries are paid to Oklahoma-based above-  
13 the-line personnel. The qualifying salary of above-the-line  
14 personnel shall not comprise more than twenty-five percent (25%) of  
15 total expenditures as defined in paragraph 2 of this section. For  
16 purposes of this paragraph, "Oklahoma-based" means a company or  
17 individual with an Oklahoma income tax requirement;

18 2. "Expenditure" or "production cost" includes but is not  
19 limited to:

20 a. wages or salaries of persons who are residents of this  
21 state and who have earned income from working on a  
22 film in this state, including payments to personal  
23 services corporations with respect to the services of  
24

- 1 qualified performing artists, as determined under  
2 Section 62(a) (A) of the Internal Revenue Code,
- 3 b. the cost of construction and operations, wardrobe,  
4 accessories and related services,
  - 5 c. the cost of photography, sound synchronization,  
6 lighting and related services,
  - 7 d. the cost of editing and related services,
  - 8 e. rental of facilities and equipment,
  - 9 f. other direct costs of producing a film, and
  - 10 g. the wages and salaries of persons who are defined and  
11 registered as an Oklahoma Expatriate by the ~~Office of~~  
12 ~~the Oklahoma Film and Music Commission~~ Oklahoma Film  
13 and Music Office within the Oklahoma Department of  
14 Commerce;

15 3. "Film" means a professional single media, multimedia program  
16 or feature, which is not child pornography as defined in subsection  
17 A of Section 1024.1 of Title 21 of the Oklahoma Statutes or obscene  
18 material as defined in paragraph 1 of subsection B of Section 1024.1  
19 of Title 21 of the Oklahoma Statutes, including, but not limited to,  
20 national advertising messages that are broadcast on a national  
21 affiliate or cable network, fixed on film or digital video, which  
22 can be viewed or reproduced and which is exhibited in theaters,  
23 licensed for exhibition by individual television stations, groups of  
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1 stations, networks, cable television stations or other means or  
2 licensed for home viewing markets;

3 4. "High impact production" means a production for which total  
4 expenditures or production costs are equal to or greater than Fifty  
5 Million Dollars (\$50,000,000.00), with at least one-third (1/3) of  
6 total costs deemed Oklahoma expenditures by the ~~Office of the~~  
7 ~~Oklahoma Film and Music Commission~~ Oklahoma Film and Music Office;  
8 and

9 5. "Production company" means a person or company who produces  
10 film for exhibition in theaters, on television or elsewhere.

11 SECTION 3. AMENDATORY 68 O.S. 2011, Section 3624, as  
12 last amended by Section 3, Chapter 313, O.S.L. 2019 (68 O.S. Supp.  
13 2020, Section 3624), is amended to read as follows:

14 Section 3624. A. There is hereby created the Oklahoma Film  
15 Enhancement Rebate Program. A rebate in the amount of up to  
16 seventeen percent (17%) of documented expenditures made in Oklahoma  
17 directly attributable to the production of a film, television  
18 production, or television commercial, as defined in Section 3623 of  
19 this title, in this state, may be paid to the production company  
20 responsible for the production. Provided, for documented  
21 expenditures made after July 1, 2009, the rebate amount shall be  
22 thirty-five percent (35%), except as provided in subsection B of  
23 this section.

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1 B. The amount of rebate paid to the production company as  
2 provided for in subsection A of this section shall be increased by  
3 an additional two percent (2%) of documented expenditures if a  
4 production company spends at least Twenty Thousand Dollars  
5 (\$20,000.00) for the use of music created by an Oklahoma resident  
6 that is recorded in Oklahoma or for the cost of recording songs or  
7 music in Oklahoma for use in the production.

8 C. The rebate program shall be administered by the ~~Office of~~  
9 ~~the Oklahoma Film and Music Commission~~ Oklahoma Film and Music  
10 Office within the Oklahoma Department of Commerce and the Oklahoma  
11 Tax Commission, as provided in the Compete with Canada Film Act.

12 D. To be eligible for a rebate payment:

13 1. The production company responsible for a film, television  
14 production, or television commercial, as defined in Section 3623 of  
15 this title, made in this state shall submit documentation to the  
16 ~~Office of the Oklahoma Film and Music Commission~~ Oklahoma Film and  
17 Music Office of the amount of wages paid for employment in this  
18 state to residents of this state directly relating to the production  
19 and the amount of other production costs incurred in this state  
20 directly relating to the production;

21 2. The production company has filed or will file any Oklahoma  
22 tax return or tax document which may be required by law;

23 3. Except major studio productions, the production company  
24 shall provide the name of the completion guarantor and a copy of the

1 bond guaranteeing the completion of the project or if a film has not  
2 secured a completion bond, the production company shall provide  
3 evidence that all Oklahoma crew and local vendors have been paid and  
4 there are no liens against the production company pending in the  
5 state;

6 4. The minimum budget for the film shall be Fifty Thousand  
7 Dollars (\$50,000.00) of which not less than Twenty-five Thousand  
8 Dollars (\$25,000.00) shall be expended in this state;

9 5. The production company shall provide evidence of financing  
10 for production prior to the commencement of principal photography;  
11 and

12 6. The production company shall provide evidence of a  
13 certificate of general liability insurance with a minimum coverage  
14 of One Million Dollars (\$1,000,000.00) and a workers' compensation  
15 policy pursuant to state law, which shall include coverage of  
16 employer's liability.

17 E. A production company shall not be eligible to receive both a  
18 rebate payment pursuant to the provisions of ~~this act~~ Section 3621  
19 et seq. of this title and an exemption from sales taxes pursuant to  
20 the provisions of paragraph 23 of Section 1357 of this title. If a  
21 production company has received such an exemption from sales taxes  
22 and submits a claim for rebate pursuant to the provisions of the  
23 Compete with Canada Film Act, the company shall be required to fully  
24 repay the amount of the exemption to the Tax Commission. A claim



1 for a rebate shall include documentation from the Tax Commission  
2 that repayment has been made as required herein or shall include an  
3 affidavit from the production company that the company has not  
4 received an exemption from sales taxes pursuant to the provisions of  
5 paragraph 21 of Section 1357 of this title.

6 F. The Office shall approve or disapprove all claims for rebate  
7 and shall notify the Tax Commission. The Tax Commission shall, upon  
8 notification of approval from the ~~Office of the Film and Music~~  
9 ~~Commission~~ Oklahoma Film and Music Office, issue payment for all  
10 approved claims from funds in the Oklahoma Film Enhancement Rebate  
11 Program Revolving Fund created in Section 3625 of this title.  
12 Excluding any rebate payments to high impact productions as provided  
13 for in subsection G of this section, the amount of payments in any  
14 single fiscal year shall not exceed Eight Million Dollars  
15 (\$8,000,000.00). If the amount of approved claims exceeds the  
16 amount specified in this subsection in a fiscal year, payments shall  
17 be made in the order in which the claims are approved by the Office.  
18 If an approved claim is not paid in whole or in part, the unpaid  
19 claim or unpaid portion may be paid in the following fiscal year  
20 subject to the limitations specified in this subsection.

21 G. 1. At the time the ~~Office of the Film and Music Commission~~  
22 Oklahoma Film and Music Office issues a conditional prequalification  
23 for a production, such prequalification may include a proposed  
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1 designation as a high impact production, as defined in Section 3623  
2 of this title.

3 2. The proposed designation must be approved by the Cabinet  
4 Secretary for Commerce ~~and Tourism~~.

5 3. If the high impact production otherwise meets all of the  
6 requirements of the Compete ~~With~~ with Canada Act and the Office  
7 gives final approval to rebate claims, such rebate claims shall not  
8 be subject to the Eight Million Dollar (\$8,000,000.00) cap provided  
9 for in subsection F of this section.

10 4. The payment of a rebate claim approved by the Office for a  
11 production designated as a high impact production by the Cabinet  
12 Secretary may be made as follows:

13 a. by special appropriation to the Oklahoma Film  
14 Enhancement Rebate Program Revolving Fund, if the  
15 claim is approved during a regular or special session  
16 of the Oklahoma Legislature, or

17 b. by payment from the Oklahoma Quick Action Closing Fund  
18 pursuant to Section 48.2 of Title 62 of the Oklahoma  
19 Statutes, if the claim is approved when the Oklahoma  
20 Legislature is not in session.

21 SECTION 4. AMENDATORY 74 O.S. 2011, Section 500.18, as  
22 last amended by Section 10, Chapter 269, O.S.L. 2016 (74 O.S. Supp.  
23 2020, Section 500.18), is amended to read as follows:

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1 Section 500.18. A. Except for members of the Legislature, the  
2 Governor and the Lieutenant Governor, provisions of Sections 500.1  
3 through 500.18 of this title shall be mandatory for all officials  
4 and employees of all departments, boards, commissions and  
5 institutions of the state, regardless of the provisions of any other  
6 act of the Legislature, except as provided by this section. The  
7 enactment of any measure in the future providing for travel  
8 reimbursement of state officers and employees on the basis of  
9 "actual and necessary" expenses or in any other manner inconsistent  
10 with Sections 500.1 through 500.18 of this title shall be deemed to  
11 provide for reimbursement in accordance with Sections 500.1 through  
12 500.18 of this title unless a contrary intent is explicitly  
13 expressed in this section. Sections 500.1 through 500.18 of this  
14 title shall not apply, however, to travel reimbursements made by  
15 political subdivisions of this state, except as otherwise provided  
16 by law.

17 B. The agencies listed below are authorized certain exceptions  
18 and/or exemptions to the provisions of Sections 500.1 through 500.18  
19 of this title to the extent specified:

20 1. Oklahoma Department of Agriculture, Food, and Forestry:

21 a. The actual and reasonable expenses of travel and  
22 subsistence in pursuing and developing markets for  
23 Oklahoma agricultural products incurred by the  
24 Commissioner, Deputy Commissioner and such employees

1 designated by the State Board of Agriculture within  
2 the marketing development programs of the Oklahoma  
3 Department of Agriculture, Food, and Forestry shall be  
4 reimbursed to the employee incurring such expenses.  
5 Reimbursement of such expenses shall be in accordance  
6 with rules adopted by the Board. Expenses claimed  
7 shall, prior to reimbursement, be reviewed by the  
8 Board at a regular meeting and individually approved  
9 or disapproved.

10 b. The actual and necessary expenses of out-of-state  
11 travel and subsistence incurred by employees of the  
12 Forestry Division authorized to evaluate and acquire  
13 federal excess property or surplus property in other  
14 states for use in its fire protection program, shall  
15 be reimbursed to the employee incurring such expenses.

16 2. Department of Public Safety:

17 When traveling with the Governor or at the Governor's request,  
18 personnel assigned by the Commissioner for executive security and  
19 pilots on executive assignment shall be allowed their actual and  
20 necessary traveling expenses, upon claims approved by the  
21 Commissioner.

22 3. Department of Corrections:

23 The Department of Corrections shall be exempt from limitations  
24 of reimbursement for rented automobiles, as set forth in Section

1 500.5 of this title, when the rental is by a Correctional Officer or  
2 Transportation Officer for the limited purpose of transporting  
3 inmates. Reimbursement for the expense shall be on the basis of  
4 actual cost.

5 4. Oklahoma Tourism and Recreation Department:

6 The Oklahoma Tourism and Recreation Commission and Department  
7 staff who promote in-state and out-of-state business for Oklahoma's  
8 state-operated or state-owned parks, lodges, and golf courses and  
9 the tourism and recreation industry, may be reimbursed for the  
10 actual and necessary expense of travel, subsistence and  
11 entertainment for this purpose. The Director of the Oklahoma  
12 Tourism and Recreation Department may reimburse the Publisher of  
13 Oklahoma Today magazine and its staff for expenses for meals and  
14 other entertainment in order to gain advertising and promotion for  
15 Oklahoma Today magazine. ~~The Oklahoma Tourism and Recreation  
16 Department may reimburse the Director of the Office of the Oklahoma  
17 Film and Music Commission and staff for the actual and necessary  
18 expenses for meals and other entertainment in order to promote the  
19 film and music industries in this state. Reimbursement of all  
20 actual and necessary expenses shall be in accordance with rules  
21 adopted by the Oklahoma Tourism and Recreation Commission.~~

22 5. Oklahoma Department of Commerce:

23 a. The actual and necessary expenses incurred by the  
24 Director and other employees of the Department

1 authorized by the Director for the purpose of business  
2 recruitment shall be reimbursed. Reimbursement of  
3 expenses shall be in accordance with rules adopted by  
4 the Director of the Oklahoma Department of Commerce.  
5 Expenses claimed shall, prior to reimbursement, be  
6 reviewed by the Director and individually approved or  
7 disapproved.

8 b. The Department, at the discretion of the Director, may  
9 charter aircraft for the purposes of carrying out its  
10 duties and responsibilities related to business  
11 recruitment and performing the duties of the Director.  
12 The cost of such charter shall be exempt from the  
13 provisions of Section 500.6 of this title. Claims  
14 filed with the Office of Management and Enterprise  
15 Services shall bear the following certification:  
16 The best interests of the citizens of Oklahoma were  
17 better served in that conventional ground  
18 transportation was not practical or feasible for this  
19 trip, aircraft from the Department of Public Safety  
20 were not available for this trip, and no other claim  
21 has been or will be filed as a payment for the cost of  
22 transportation in connection with this trip.

23 c. The Oklahoma Department of Commerce may reimburse the  
24 Oklahoma Film and Music Office staff for the actual

1           and necessary expenses for meals and other  
2           entertainment in order to promote the film and music  
3           industries in this state. Reimbursement of all actual  
4           and necessary expenses shall be in accordance with  
5           rules adopted by the Oklahoma Department of Commerce.

6           6. Office of Management and Enterprise Services:

7           The actual and necessary expenses of travel and subsistence  
8 incurred by the Director, any state employee approved by his or her  
9 appointing authority, or state officials, for travel outside the  
10 state in performance of duties related to bond financing shall be  
11 reimbursed to the employee or state official incurring such  
12 expenses. Reimbursement for lodging expenses shall be supported by  
13 three telephone bids from hotels within a reasonable distance of the  
14 activity for which the travel was approved.

15           7. Oklahoma Futures:

16           The actual and necessary expenses incurred by the members of  
17 Oklahoma Futures in the performance of their duties shall be  
18 reimbursed to the members incurring such expenses. Reimbursement of  
19 all actual and necessary expenses shall be in accordance with rules  
20 adopted by Oklahoma Futures.

21           8. Oklahoma Development Finance Authority:

22           The actual and necessary expenses incurred by the members and  
23 employees of the Oklahoma Development Finance Authority in the  
24 performance of their duties shall be reimbursed to the person

1 incurring such expenses. Reimbursement of all actual and necessary  
2 expenses shall be in accordance with the bylaws of the Authority.

3 9. Oklahoma Center for the Advancement of Science and  
4 Technology:

5 The actual and necessary expenses incurred by the members and  
6 employees of the Oklahoma Center for the Advancement of Science and  
7 Technology in the performance of their duties shall be reimbursed to  
8 the person incurring such expenses. Reimbursement of all actual and  
9 necessary expenses shall be in accordance with the bylaws of the  
10 Center.

11 10. Center for International Trade Development:

12 The actual and necessary expenses of travel, lodging and  
13 subsistence incurred by the Director and authorized employees of the  
14 Center for International Trade Development for performance of their  
15 duties for the purpose of business recruitment and assistance shall  
16 be reimbursed to the person incurring such expenses. Reimbursement  
17 of such expenses shall be in accordance with the rules adopted by  
18 the Director of the Center for International Trade Development.  
19 Expenses claimed shall be reviewed and individually approved or  
20 disapproved, prior to reimbursement, first by the Director, and  
21 finally by either the Vice President, Business and Finance of  
22 Oklahoma State University or the President of Oklahoma State  
23 University.

24 11. Oklahoma State Bureau of Investigation:



1       The actual and necessary expenses incurred by the Director and  
2 other employees of the Bureau authorized by the Director as a result  
3 of conducting investigations shall be reimbursed to each such  
4 employee incurring the expenses. Reimbursement of the expenses  
5 shall be in accordance with rules adopted by the Director of the  
6 Oklahoma State Bureau of Investigation. Prior to reimbursement,  
7 expenses claimed shall be reviewed by the Director and individually  
8 approved or disapproved.

9       12. Department of Human Services:

10       a. The actual and necessary expenses of travel, lodging  
11 and subsistence incurred by employees of the Legal  
12 Division in the performance of their duties for the  
13 purpose of representing the Department of Human  
14 Services or any of its officials, employees,  
15 institutions or hospitals at any proceeding, including  
16 depositions, held before any court, administrative  
17 body or representative thereof, shall be reimbursed to  
18 the employee incurring such expenses. Expenses  
19 claimed shall be approved by the General Counsel and  
20 the Director of Human Services prior to reimbursement.

21       b. The Department, at the discretion of the Director, may  
22 charter aircraft when determined by the Director such  
23 charter would be more practical or less expensive than  
24 normal modes of transportation and when aircraft of

1 the Department of Public Safety are unavailable. The  
2 costs of such charter shall be exempt from the  
3 provisions of Section 500.6 of this title.

4 13. Oklahoma Health Care Authority:

5 The actual and necessary expenses of travel, lodging and  
6 subsistence incurred by employees of the Legal Division in the  
7 performance of their duties for the purpose of representing the  
8 Authority or any of its officials or employees, at any proceeding,  
9 including depositions, held before any court, administrative body or  
10 representative thereof, shall be reimbursed to the employee  
11 incurring such expenses. Expenses claimed shall be approved by the  
12 Administrator prior to reimbursement.

13 14. Oklahoma State Bureau of Narcotics and Dangerous Drugs  
14 Control:

15 The actual and necessary expenses incurred by the Director and  
16 other employees of the Bureau authorized by the Director as a result  
17 of conducting investigations shall be reimbursed to each employee  
18 incurring the expenses. Reimbursement of the expenses shall be in  
19 accordance with rules adopted by the Director of the Oklahoma State  
20 Bureau of Narcotics and Dangerous Drugs Control. Prior to  
21 reimbursement, expenses claimed shall be reviewed by the Director  
22 and individually approved or disapproved.

23 15. University Hospitals:  
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1       The actual and necessary expenses of travel, lodging and  
2 subsistence incurred by employees of the Legal Office in the  
3 performance of their duties for the purpose of representing the  
4 University Hospitals or any of its officials, employees,  
5 institutions or hospitals at any proceeding, including depositions,  
6 held before any court, administrative body or representative  
7 thereof, shall be reimbursed to the employee incurring such  
8 expenses. Expenses shall be approved by the Chief Executive Officer  
9 of the University Hospitals or by the University Hospitals  
10 Authority.

11       16. Oklahoma Historical Society:

12       The actual and necessary expenses of travel, subsistence and  
13 entertainment incurred by the Executive Director, Deputy Director  
14 and any employees designated by the Executive Committee of the  
15 Oklahoma Historical Society Board of Directors in pursuing and  
16 developing programs and projects for the preservation and marketing  
17 of Oklahoma history shall be reimbursed to the person incurring the  
18 expenses. Reimbursement of expenses shall be in accordance with  
19 rules adopted by the Oklahoma Historical Society Board of Directors.  
20 Prior to reimbursement, expenses claimed shall be reviewed by the  
21 Executive Committee at a regularly scheduled meeting and each claim  
22 shall be individually approved or disapproved.

23       17. The Oklahoma Department of Mines:  
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1 The actual and necessary expenses of travel, lodging and  
2 subsistence incurred by employees of the Department in the  
3 performance of their duties for the purpose of representing the  
4 Department or any of its officials or employees, at any proceeding,  
5 hearing or meeting with federal agencies, boards, commissions,  
6 congressional representatives, congressional committees or staff,  
7 shall be reimbursed to the employee incurring such expenses.  
8 Expenses claimed shall be approved by the Executive Director prior  
9 to reimbursement.

10 18. The Office of Attorney General:

11 The actual and necessary expenses of travel, lodging and  
12 subsistence incurred by its employees in the performance of their  
13 duties for the purpose of representing the state, the Legislature,  
14 any state board, agency or commission, or any employee or official  
15 of the state entitled to representation, at any proceeding,  
16 including depositions, held before any court, administrative body or  
17 any representative thereof, and the actual and necessary expenses  
18 incurred by employees as a result of conducting investigations shall  
19 be reimbursed to the employee incurring the expenses. The expenses  
20 shall be approved by the Attorney General prior to reimbursement.

21 19. District Attorneys Council:

22 The actual and necessary expenses of travel, lodging and  
23 subsistence incurred by each district attorney and other employees  
24 of the district attorney authorized by the district attorney in the

1 performance of their duties for any district other than the district  
2 for which they are employed for the purpose of representing the  
3 state, any county, or any employee or official of the state entitled  
4 to representation at any proceeding, including depositions held  
5 before any court, administrative body or any representative of a  
6 court or administrative body, and the actual and necessary expenses  
7 incurred as a result of conducting investigations shall be  
8 reimbursed to each employee incurring the expenses. Reimbursement  
9 of the expenses shall be in accordance with rules adopted by the  
10 District Attorneys Council. Prior to reimbursement, expenses  
11 claimed shall be reviewed by the Council and individually approved  
12 or disapproved.

13 20. The Department of Securities:

14 The actual and necessary expenses of travel, lodging and  
15 subsistence incurred by the Administrator and other employees of the  
16 Department of Securities in the performance of their duties for the  
17 purpose of representing the Department of Securities, at any  
18 proceeding, including depositions, held before any court,  
19 administrative body or any representative thereof, conducting on-  
20 site examinations, or conducting investigations, shall be reimbursed  
21 to each employee incurring the expenses. The expenses shall be  
22 approved by the Administrator of the Department of Securities prior  
23 to reimbursement.

24 21. Corporation Commission:

1       The actual and necessary travel expenses incurred by the staff  
2 of the Public Utility Division as a result of conducting audits  
3 and/or reviews of utility service providers shall be reimbursed to  
4 each such employee incurring the expense. Reimbursement of the  
5 expenses shall be as set forth in procedures established by the  
6 appointing authority.

7       22. The Department of Human Services:

8       Employees of the Department of Human Services shall be  
9 reimbursed for their actual and necessary expenses of travel,  
10 lodging and subsistence incurred in the performance of their duties  
11 for the purpose of escorting and transporting children or adults in  
12 the care or custody of the Department:

- 13       a. for out-of-state visitation, care, treatment and  
14       placement of a child welfare client,
- 15       b. for out-of-state treatment for or placement of an  
16       adult protective services client,
- 17       c. for out-of-state treatment for or placement of a  
18       resident of a state resource center, or
- 19       d. for out-of-state treatment for or placement of an  
20       individual with a developmental disability who is  
21       living in the community in community residential  
22       services.

23 Expenses claimed shall be approved by the appropriate Division  
24 Administrator or Associate Director prior to reimbursement.

1        23. The Banking Department:

2        The actual and necessary expenses of travel and lodging incurred  
3 by the Commissioner and other employees of the Banking Department in  
4 the performance of their duties for the Banking Department shall be  
5 paid or reimbursed by the Banking Department to each employee  
6 incurring the expenses. The expenses shall be approved by the  
7 Banking Commissioner prior to payment or reimbursement.

8        24. Oklahoma Office of Homeland Security:

9        The actual and necessary expenses of travel, lodging, and  
10 subsistence incurred by the Oklahoma Homeland Security Director, as  
11 a result of the duties and responsibilities of the Director, shall  
12 be paid or reimbursed by the Oklahoma Office of Homeland Security.

13       25. The Grand River Dam Authority:

14       The actual and necessary expenses of travel and lodging incurred  
15 by the Board of Directors and other employees of the district in the  
16 performance of their duties for the Grand River Dam Authority shall  
17 be paid or reimbursed by the district to each Director or employee  
18 incurring the expenses. The expenses shall be approved by the  
19 General Manager of the Grand River Dam Authority prior to payment or  
20 reimbursement.

21       26. The Native American Cultural and Educational Authority:

22       The actual and necessary expenses incurred by the Directors and  
23 employees of the Native American Cultural and Educational Authority  
24

1 in performances of duties. The expenses shall be approved by the  
2 Director prior to payment or reimbursement.

3 27. Oklahoma Department of Career and Technology Education:

4 The actual and necessary expenses incurred by the Director and  
5 other employees of the Department, authorized by the Director, for  
6 the purpose of business recruitment, training, and the provision of  
7 technical assistance shall be reimbursed. Reimbursement of expenses  
8 shall be in accordance with rules adopted by the State Board of  
9 Career and Technology Education. Expenses claimed, prior to the  
10 reimbursement, will be reviewed by the Board and individually  
11 approved or disapproved.

12 C. The agencies listed in subsection B of this section shall be  
13 required to report annually the actual expenses excepted or exempted  
14 from Sections 500.1 through 500.18 of this title to the Governor,  
15 the President Pro Tempore of the Senate, and the Speaker of the  
16 House of Representatives. The report shall be submitted no later  
17 than the first day of September following the end of each fiscal  
18 year.

19 SECTION 5. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 The Director of the Office of Management and Enterprise Services  
22 is hereby directed to coordinate the transfer of employees, funds,  
23 allotments, purchase orders and outstanding financial obligations of  
24



1 the Oklahoma Film and Music Office to the Oklahoma Department of  
2 Commerce.

3 SECTION 6. This act shall become effective November 1, 2021.

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
5 February 18, 2021 - DO PASS  
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