

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2855

By: Roberts (Sean)

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5
6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.
8 2011, Section 34.42, as amended by Section 372,
9 Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2020, Section
10 34.42), which relates to the Oklahoma State Finance
11 Act; clarifying language; limiting certain agency
12 budget submissions until certain auditing condition
13 is met; defining term; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.42, as
16 amended by Section 372, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
17 2020, Section 34.42), is amended to read as follows:

18 Section 34.42 A. ~~On~~ Subject to the limitation provided in
19 subsection G of this section, on or before the first day of June in
20 each year, or as soon thereafter as possible, all agencies shall
21 file agency budgets with the Director of the Office of Management
22 and Enterprise Services. Copies of all agency budgets shall also be
23 made available electronically to the staff of the Joint Legislative
24 Committee on Budget and Program Oversight.

1 B. The required instructions, content and format of agency
2 budgets shall be developed by the staff of the Budget Division of
3 the Office of Management and Enterprise Services.

4 C. 1. The agency budget shall include a description of all
5 funds available to the agency for expenditure and set out allotments
6 requested by the agency by quarter and the entire fiscal year.

7 2. The agency budget shall be accompanied by an organizational
8 chart of the agency, a statement of agency mission and program
9 objectives.

10 3. The agency budget shall delineate agency spending by such
11 categories and with at least as much detail as is specified in the
12 legislative appropriation and as prescribed by the Director of the
13 Office of Management and Enterprise Services.

14 4. Agency budgets shall be signed by the executive officer of
15 each agency.

16 D. A "request officer" shall be designated by each state agency
17 for the purpose of making program and allotment requests.

18 E. Executive officers of agencies shall cooperate with the
19 Office of Management and Enterprise Services staff and Joint
20 Committee staff in developing program budgeting categories.

21 F. All funds available or expected to be made available to any
22 agency, including nonfiscal appropriations, shall not be available
23 for expenditure until the request officer of the agency has complied
24 with the applicable provisions of the Oklahoma State Finance Act and

1 has received approval of such request for funds from the Director of
2 the Office of Management and Enterprise Services.

3 G. No agency shall file an agency budget with the Director of
4 the Office of Management and Enterprise Services that would result
5 in a fiscal year total spend in excess of the total spend amount for
6 such agency during the fiscal year ending June 30, 2020, until such
7 agency has undergone and received the findings of an independent
8 comprehensive performance audit. The term "independent
9 comprehensive performance audit" includes, but is not limited to, a
10 review and analysis of the economy, efficiency, effectiveness and
11 compliance of the policies, management, fiscal affairs and
12 operations of state agencies, divisions, programs and accounts.

13 F. The provisions of this section shall not apply to CompSource
14 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
15 program authorized by Sections 3316 and 3317 of Title 74 of the
16 Oklahoma Statutes.

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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