

1 STATE OF OKLAHOMA

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

3 SENATE BILL 713

By: Dahm

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5  
6 AS INTRODUCED

7 An Act relating to state 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 agency budgets; requiring  
11 certain budgets to include federal funds information;  
12 amending Section 1, Chapter 210, O.S.L. 2019 (62 O.S.  
13 Supp. 2020, Section 34.42.1), which relates to agency  
14 annual disclosures; requiring certain political  
15 subdivisions to provide disclosure; and providing an  
16 effective date.

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

18 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.42, as  
19 amended by Section 372, Chapter 304, O.S.L. 2012 (62 O.S. Supp.  
20 2020, Section 34.42), is amended to read as follows:

21 Section 34.42. A. On or before the first day of June in each  
22 year, or as soon thereafter as possible, all agencies shall file  
23 agency budgets with the Director of the Office of Management and  
24 Enterprise Services. Copies of all agency budgets shall also be  
25 made available electronically to the staff of the Joint Legislative  
26 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. The  
7 description shall include, but not be limited to, information on  
8 federal funds which are under the agency's control and subject to  
9 the disclosure requirements of Section 34.42.1 of this title.

10 2. The agency budget shall be accompanied by an organizational  
11 chart of the agency, a statement of agency mission and program  
12 objectives.

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

17 4. Agency budgets shall be signed by the executive officer of  
18 each agency.

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

21 E. Executive officers of agencies shall cooperate with the  
22 Office of Management and Enterprise Services staff and Joint  
23 Committee staff in developing program budgeting categories.

1 F. All funds available or expected to be made available to any  
2 agency, including nonfiscal appropriations, shall not be available  
3 for expenditure until the request officer of the agency has complied  
4 with the applicable provisions of the Oklahoma State Finance Act and  
5 has received approval of such request for funds from the Director of  
6 the Office of Management and Enterprise Services.

7 G. The provisions of this section shall not apply to CompSource  
8 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot  
9 program authorized by Sections 3316 and 3317 of Title 74 of the  
10 Oklahoma Statutes.

11 SECTION 2. AMENDATORY Section 1, Chapter 210, O.S.L.  
12 2019 (62 O.S. Supp. 2020, Section 34.42.1), is amended to read as  
13 follows:

14 Section 34.42.1. A. Except as provided in subsection C of this  
15 section, all agencies and political subdivisions of the state that  
16 maintain a website shall make an annual disclosure pursuant to a  
17 separate written report and information available through a website  
18 maintained by or on behalf of the entity of all federal funds under  
19 the control of the entity and the programs for which the federal  
20 funds are used by distinct expenditure categories and shall identify  
21 the priority or rank of the federal funds in descending order with  
22 the funding source the agency ~~relies~~ or political subdivisions of  
23 the state that maintain a website rely on to the greatest extent  
24 listed first and the funding source the agency ~~relies~~ or political

1 subdivisions of the state that maintain a website rely on to the  
2 least extent listed last. The information required by this  
3 subsection shall include, but shall not be limited to:

4 1. A description of any action required to be taken by the  
5 state government entity or political subdivisions of the state that  
6 maintain a website as a condition for the receipt or continued  
7 receipt of federal funds;

8 2. A description of any action prohibited to be taken by the  
9 state government entity or political subdivisions of the state that  
10 maintain a website as a condition for the receipt or continued  
11 receipt of federal funds;

12 3. A description of any action required to be taken by any  
13 individual or lawfully recognized business entity or other entity as  
14 a condition for the benefits purported to be conferred on the  
15 individual or other legal entity as a result of the use of the  
16 federal funds; and

17 4. A description of any action prohibited to be taken by any  
18 individual or lawfully recognized business entity or other entity as  
19 a condition for the benefits purported to be conferred on the  
20 individual or other legal entity as a result of the use of the  
21 federal funds.

22 B. Every entity subject to the requirements of this section  
23 shall make an annual disclosure, either pursuant to a separate  
24 written report, information available through a website maintained

1 by or on behalf of the entity or both, of the federal funds for  
2 which the agency or political subdivisions of the state that  
3 maintain a website must incur costs to implement and shall provide  
4 such information in descending order with the most costly federal  
5 funds listed first and the least costly federal funds listed last.

6 C. Any agency or political subdivisions of the state that  
7 maintain a website receiving and administering federal funds that  
8 require the receiving agency to maintain any level of security  
9 clearance in order to administer those funds shall be exempt from  
10 the provisions of this section.

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

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