

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 495

By: McCortney

AS INTRODUCED

An Act relating to unfunded mandates; defining term; prohibiting certain mandates; stating standards for what are considered unfunded mandates; providing for unenforceability without adequate funding; providing for codification; and providing an effective date.

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 13001 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "unfunded mandate" means any act, law, order, decision, policy, or official action implemented by the Legislature, state agency, department, or commission that mandates a political subdivision, by action or inaction, to expend funds to implement or eliminate any policy, ordinance, programs, or activities without being fully appropriated.

B. The Legislature, state agency, department, or commission shall not implement any mandate to any political subdivision of this state, unless a specific appropriation is made to fully fund the

1 political subdivision for all costs related to the mandate. If no
2 appropriation is made to the political subdivisions, the mandate
3 shall be considered an unfunded mandate and unenforceable. Any
4 financial impact of any size determined to exist by the political
5 subdivision shall be sufficient to deem an unfunded mandate.
6 Financial increases related to clerical work, office supplies, and
7 creating and submitting reports shall be exempted from this act.

8 SECTION 2. This act shall become effective November 1, 2023.

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