

An Act

ENROLLED HOUSE
BILL NO. 1061

By: Boles of the House

and

Paxton of the Senate

An Act relating to public finance; amending 62 O.S. 2011, Section 34.80, as amended by Section 400, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2020, Section 34.80), which relates to the Oklahoma State Finance Act; prohibiting certain funds in the Canceled Warrant Fund from being transferred into the General Revenue Fund; and providing an effective date.

SUBJECT: Public finance

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.80, as amended by Section 400, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2020, Section 34.80), is amended to read as follows:

Section 34.80 A. All warrants, checks or orders issued by the State Treasurer against claims submitted through the Office of Management and Enterprise Services in payment of obligations of the state which shall for any cause remain outstanding or unpaid for a period of ninety (90) days after funds are available for their payment shall be revoked and canceled.

B. Such warrants, checks or orders shall be entered into the records of the Office of Management and Enterprise Services and the State Treasurer and the administrative head of the agency certifying the claim for payment shall be notified that such items have been canceled.

C. If, for any reason, a warrant should not be issued to replace a warrant canceled pursuant to the provisions of this section, the administrative head of the agency originally certifying the claim for payment shall, within seven (7) days after notification of the cancellation, advise the Director of the Office of Management and Enterprise Services that a reissue should not be made.

D. Notwithstanding the provisions of subsection B of this section, warrants issued or caused to be issued by the Department of Human Services for public assistance or medical assistance may be reissued at any time within three (3) years after cancellation upon submission of the canceled warrants to the Department.

E. No canceled warrants shall be paid, except that the holder of any warrant that may have been canceled pursuant to the provisions of this section may, within thirty-six (36) months following the month in which the warrant was canceled, present the warrant or an affidavit of loss or destruction, and a request for reissuance to the Director of the Office of Management and Enterprise Services.

F. The Director of the Office of Management and Enterprise Services shall certify a claim as needed for payment of those verified unpaid requests presented, unless the certifying agency has advised that a reissuance should not be made.

G. 1. There is hereby created in the State Treasury a fund to be known as the Canceled Warrant Fund.

2. The Director of the Office of Management and Enterprise Services shall transfer to the Canceled Warrant Fund the total of the payable amounts of the warrants canceled pursuant to the provisions of this section from the funds and accounts against which the canceled warrants had been drawn.

3. The Office of Management and Enterprise Services shall disburse from the fund such amounts as necessary to pay warrants reissued as provided in this section.

4. These expenditures shall remain recorded in the funds and accounts against which the original canceled warrants were issued and they shall not be considered expenses of the state nor shall receipts to the fund be considered revenue to the state.

5. Any such claim drawn against the Canceled Warrant Fund shall identify the current holder of record and the warrant number of the canceled warrant, which shall be provided on the warrant record.

H. The Director of the Office of Management and Enterprise Services shall determine the minimum necessary balance to be maintained in the Canceled Warrant Fund and on the third Monday of October shall transfer the amount in excess of the required minimum balance to the General Revenue Fund of the current year. The minimum balance retained shall be not less than the total amount of the warrants canceled by statute within the past thirty-six (36) months preceding October 1 of each year and which remain eligible for replacement according to the records of the Office of Management and Enterprise Services. Provided, funds in the Canceled Warrant Fund due to the cancellation of warrants from the Crime Victims Compensation Fund shall be transferred to the Crime Victims Compensation Fund and not to the General Revenue Fund.

SECTION 2. This act shall become effective November 1, 2021.

Passed the House of Representatives the 27th day of April, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 12th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____