

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1290

By: Casey

5
6
7 COMMITTEE SUBSTITUTE

8 [schools - School District Unfunded-Mandate Relief
9 Program - allowing school districts to deregulate
10 from certain mandates - directing State Department
11 of Education to create and publish mandates list -
12 effective date -

emergency]

13
14
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 3-129.21 of Title 70, unless
18 there is created a duplication in numbering, reads as follows:

19 A. There is hereby established the School District Unfunded-
20 Mandate Relief Program which shall be administered by the State
21 Board of Education. The purpose of the program is to empower
22 locally elected school district boards of education to avoid
23 unfunded and underfunded state-imposed mandates created by state law
24 and associated State Board of Education rules.

1 B. Except as otherwise provided, upon approval of the board of
2 education, a school district shall be deregulated from any unfunded
3 or underfunded mandate and associated State Board of Education rule
4 placed upon the school district by the Oklahoma Legislature as
5 listed by the State Department of Education pursuant to subsection C
6 of this section. A school district shall not be deregulated from
7 the minimum salary schedule as set forth in Section 18-114.14 of
8 Title 70 of the Oklahoma Statutes, the flexible benefit allowance
9 pursuant to Section 26-105 of Title 70 of the Oklahoma Statutes from
10 the flexible benefit allowance funds disbursed pursuant to Section
11 26-104 of Title 70 of the Oklahoma Statutes and the contributions
12 made pursuant to subsection A of Section 17-108.1 of Title 70 of the
13 Oklahoma Statutes for members of the Teacher's Retirement System of
14 Oklahoma.

15 C. The State Department of Education shall annually create and
16 publish a list of all state-created mandates, associated State Board
17 of Education rules, the amount of funding necessary to implement
18 each mandate and associated State Board of Education rule, and the
19 current level of funding provided by the Oklahoma Legislature to
20 implement each mandate and associated State Board of Education rule.
21 The list of all state-created mandates, associated State Board of
22 Education rules and funding levels shall be approved by the State
23 Board of Education no later than February 1 of each fiscal year.

24

1 D. For purposes of this act, a state mandate shall be deemed
2 underfunded if the level of funding provided by the Oklahoma
3 Legislature is at or below seventy-five percent (75%) of the funding
4 necessary to implement the mandate as determined by the State Board
5 of Education.

6 E. For purposes of this act, a state mandate shall be deemed
7 unfunded if the level of funding provided by the Oklahoma
8 Legislature is at zero percent (0%) of the funding necessary to
9 implement the mandate as determined by the State Board of Education.

10 SECTION 2. This act shall become effective July 1, 2015.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15

16 55-1-6882 JM 02/18/15

17

18

19

20

21

22

23

24