

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2246

By: Sears and Casey of the  
House

4 And

5 Jolley and Treat of the  
6 Senate

7  
8  
9 AS INTRODUCED

10 An Act relating to state government; amending 74 O.S.  
11 2011, Section 500.2, as last amended by Section 1,  
Chapter 109, O.S.L. 2014 (74 O.S. Supp. 2014, Section  
12 500.2), which relates to the State Travel  
Reimbursement Act; authorizing the Office of  
13 Educational Quality and Accountability to enter into  
contracts for payment of certain expenses relating to  
14 conferences, meetings and training sessions; allowing  
the Office of Educational Quality and Accountability  
15 to establish necessary accounts; providing for direct  
payment of expenses; limiting the cost of food under  
16 certain conditions; providing an effective date; and  
declaring an emergency.

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

20 SECTION 1. AMENDATORY 74 O.S. 2011, Section 500.2, as  
21 last amended by Section 1, Chapter 109, O.S.L. 2014 (74 O.S. Supp.  
22 2014, Section 500.2), is amended to read as follows:

23 Section 500.2 A. Officials and employees of the state,  
24 traveling on authorized state business, may be reimbursed for

1 expenses incurred in such travel in accordance with the provisions  
2 of the State Travel Reimbursement Act and existing statutes relating  
3 to state travel. Persons who are not state employees, but who are  
4 performing substantial and necessary services to the state which  
5 have been directed or approved by the appropriate department  
6 official shall enjoy the protection of the sovereign immunity of the  
7 state to the same extent as a paid employee. Such persons may be  
8 reimbursed for expenses incurred during authorized official travel  
9 under these same statutory provisions, provided it is indicated on  
10 the claim the person is not a state employee, a description of  
11 services performed is entered, and the agency head by approval of  
12 the claim certifies such services were substantial and necessary,  
13 and germane to the duties and functions of the reimbursing agency.  
14 Travel expenses incurred by a person during the course of seeking  
15 employment with a state agency, unless such travel is performed at  
16 the request of the employing agency, shall not be considered  
17 expenses incurred in performing substantial and necessary services  
18 to the state and shall not be reimbursed under the provisions of the  
19 State Travel Reimbursement Act.

20 B. The chief administrative officer of the Department of Public  
21 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma  
22 State Bureau of Narcotics and Dangerous Drugs Control, the Military  
23 Department of the State of Oklahoma, the Department of Corrections,  
24 the Office of Management and Enterprise Services, the Alcoholic

1 Beverage Laws Enforcement Commission, the Oklahoma Department of  
2 Agriculture, Food, and Forestry, the Oklahoma Department of  
3 Emergency Management, the State Fire Marshal, and the State  
4 Department of Health may arrange for and charge meals and lodging  
5 for a contingent of state personnel moved into an area for the  
6 purpose of preserving the public health, safety, or welfare or for  
7 the protection of life or property. The cost for meals or lodging  
8 so charged shall not exceed the amount authorized in the State  
9 Travel Reimbursement Act. The chief administrative officer of each  
10 agency involved in such an operation shall require the vendor  
11 furnishing meals, lodging, or both meals and lodging to submit an  
12 itemized statement for payment. When a claim for lodging is made  
13 for a contingent of state personnel, individual members of the  
14 contingent may not submit a claim for lodging. When a claim for  
15 meals is made for a contingent of state personnel, individual  
16 members of the contingent may not submit a claim for meals.

17 C. The Oklahoma Department of Commerce, the Oklahoma Center for  
18 the Advancement of Science and Technology, and the Oklahoma  
19 Department of Agriculture, Food, and Forestry are hereby authorized  
20 to enter into contracts and agreements for the payment of food,  
21 lodging, meeting facility and beverage expenses as may be necessary  
22 for sponsoring seminars and receptions relating to economic  
23 development and science and technology issues. Such expenses may be  
24 paid directly to the contracting agency or business establishment.

1 The Director of the Oklahoma Department of Commerce, the President  
2 of the Oklahoma Center for the Advancement of Science and  
3 Technology, and the Commissioner of Agriculture shall each provide a  
4 quarterly report of such expenditures to the Governor, the Speaker  
5 of the House of Representatives and the President Pro Tempore of the  
6 Senate.

7 D. The Native American Cultural and Educational Authority is  
8 hereby authorized to enter into contracts and agreements for the  
9 payment of food, lodging, and meeting facility as may be necessary  
10 to pursue the promotion of fund-raising, marketing, and development  
11 of Native American educational programs and cultural projects, or to  
12 sponsor luncheons, seminars, and receptions relating to Native  
13 American educational, cultural, museum, and economic development  
14 issues. Such expenses may be paid directly to the contracting  
15 agency or business establishment. The Executive Director shall  
16 provide a monthly report of expenditures to the Board.

17 E. For purposes of this section:

18 1. "State agency" means any constitutionally or statutorily  
19 created state board, commission, or department, including the  
20 Legislature and the Courts;

21 2. State agencies are authorized to enter into contracts and  
22 agreements for the payment of food and lodging expenses as may be  
23 necessary for employees or other persons who are performing  
24 substantial and necessary services to the state by attending

1 official conferences, meetings, seminars, workshops, or training  
2 sessions or in the performance of their duties. Such expenses may  
3 be paid directly to the contracting agency or business  
4 establishment, provided the meeting qualifies for overnight travel  
5 for the employees and the cost for food and lodging for each  
6 employee shall not exceed the total daily rate as provided in the  
7 State Travel Reimbursement Act;

8 3. State agencies are authorized to enter into contracts and  
9 agreements for the payment of conference registration expenses as  
10 may be necessary for employees or other persons who are performing  
11 substantial and necessary services to the state by attending  
12 official conferences, meetings, seminars, workshops, or training  
13 sessions. Such expenses may be paid directly to the contracting  
14 agency or business establishment; and

15 4. State agencies are authorized to enter into contracts and  
16 agreements for the payment of food and lodging expenses as may be  
17 necessary for employees attending an official course of instruction  
18 or training conducted or sponsored by any state agency. Expenses  
19 may be paid directly to the contracting agency or business  
20 establishment. The cost for food and lodging for each employee  
21 shall not exceed the total daily rate as provided in the State  
22 Travel Reimbursement Act.

23 F. State agencies are authorized to make direct purchases of  
24 commercial airline tickets for use by employees in approved out-of-

1 state travel. Each claim or invoice submitted to the Director of  
2 the Office of Management and Enterprise Services for the payment of  
3 the purchase shall bear the airline identifying ticket number, the  
4 name of the airline, total cost of each ticket purchased, class of  
5 accommodation and name of the employee for whom the ticket was  
6 purchased, and shall be filed on claim forms as prescribed by the  
7 Director of the Office of Management and Enterprise Services. The  
8 employee shall sign an affidavit stating that the employee used a  
9 direct purchase commercial airline ticket received for his or her  
10 approved out-of-state travel, or in lieu of the affidavit, the  
11 employee may file a travel claim in connection with said airline  
12 flight.

13 G. 1. The Director of the Office of Management and Enterprise  
14 Services is hereby authorized to enter into contracts and agreements  
15 for the payment of food, lodging, and other authorized expenses as  
16 may be necessary to host, conduct, sponsor, or participate in  
17 conferences, meetings, or training sessions. The Director may  
18 establish accounts as necessary for the collection and distribution  
19 of funds, including funds of sponsors and registration fees, related  
20 to such conferences, meetings, and training sessions. Expenses  
21 incurred may be paid directly to the contracting agency or business  
22 establishment.

23 2. The cost of food for persons attending any conferences,  
24 meetings, and training sessions that do not require overnight travel

1 shall not exceed the total daily rate as provided in the State  
2 Travel Reimbursement Act.

3 H. 1. The Commissioner of the Department of Mental Health and  
4 Substance Abuse Services is hereby authorized to enter into  
5 contracts and agreements for the payment of food, lodging, and other  
6 authorized expenses as may be necessary to host, conduct, sponsor,  
7 or participate in conferences, meetings, or training sessions. The  
8 Commissioner may establish accounts as necessary for the collection  
9 and distribution of funds, including funds of sponsors and  
10 registration fees, related to such conferences, meetings, and  
11 training sessions. Any expenses incurred may be paid directly to  
12 the contracting agency or business establishment.

13 2. The cost of food for persons attending any conferences,  
14 meetings, and training sessions that do not require overnight travel  
15 shall not exceed the total daily rate as provided in the State  
16 Travel Reimbursement Act.

17 I. The Oklahoma Indigent Defense System is hereby authorized to  
18 enter into contracts and agreements for the payment of lodging as  
19 necessary for employees to carry out their duties in representing  
20 any client whom the System has been properly appointed to represent.  
21 Such expenses may be paid directly to the contracting agency or  
22 business establishment. The cost for lodging for each employee  
23 shall not exceed the daily rate as provided in the State Travel  
24 Reimbursement Act.

1 J. The Oklahoma Tourism and Recreation Department is hereby  
2 authorized to enter into contracts and agreements for the payment of  
3 food, lodging, and meeting facility and beverage expenses as may be  
4 necessary for seminars and receptions relating to familiarization  
5 tours and tourism development. The expenses may be paid directly to  
6 the contracting agency or business establishment. The Executive  
7 Director of Oklahoma Tourism and Recreation Department shall provide  
8 a monthly report of any such expenditures to the Oklahoma Tourism  
9 and Recreation Commission.

10 K. The Oklahoma Tourism and Recreation Department is hereby  
11 authorized to enter into contracts and agreements for the payment of  
12 exhibitor fees and display space charges at expositions to promote  
13 the Department's recreational facilities and the tourism and  
14 recreation industry. The expenses may be paid directly to the  
15 contracting agency or business establishment; provided that no  
16 payment shall be made prior to the event unless it conveys a  
17 property right to the state for future availability and use.

18 L. 1. The Oklahoma Highway Safety Office of the Department of  
19 Public Safety is hereby authorized to enter into contracts and  
20 agreements for the payment of food, lodging, and other authorized  
21 expenses as may be necessary, to host, conduct, sponsor, or  
22 participate in highway-safety-related conferences, workshops,  
23 seminars, meetings, or training sessions. The payments shall be for  
24 all persons in attendance, including, but not limited to, employees

1 of political subdivisions or employees of the state or federal  
2 government. For purposes specified in this paragraph, only federal  
3 highway safety funds may be used in accordance with federal  
4 guidelines and regulations, and no appropriated state funds shall be  
5 used.

6 2. The cost of food for persons attending any highway safety  
7 conferences, workshops, seminars, meetings, and training sessions  
8 that do not require overnight travel shall not exceed the total  
9 daily rate as provided in the State Travel Reimbursement Act.

10 M. 1. The Director of the Oklahoma State Bureau of  
11 Investigation is hereby authorized to enter into contracts and  
12 agreements for the payment of food, lodging and other authorized  
13 expenses as may be necessary to host, conduct, sponsor or  
14 participate in any conference, meeting, training session or  
15 initiative to promote the mission and purposes of the Bureau. The  
16 payments may be for all persons in attendance, including, but not  
17 limited to, employees of political subdivisions or employees of the  
18 state or federal government.

19 2. The cost of food for persons that do not require overnight  
20 travel shall not exceed the total daily rate as provided in the  
21 State Travel Reimbursement Act.

22 N. The Oklahoma Homeland Security Director is hereby authorized  
23 to enter into contracts and agreements for the payment of food,  
24 lodging and other authorized expenses as may be necessary to host,

1 conduct, sponsor, or participate in homeland security related  
2 conferences, meetings, workshops, seminars, exercises or training  
3 sessions. The expenses may be paid directly to the contracting  
4 agency or business establishment.

5 O. 1. The Insurance Commissioner of the Insurance Department  
6 of the State of Oklahoma is hereby authorized to enter into  
7 contracts and agreements for the payment of food, lodging, and other  
8 authorized expenses as may be necessary to host, conduct, sponsor,  
9 or participate in conferences, meetings, or training sessions. The  
10 Commissioner may establish accounts as necessary for the collection  
11 and distribution of funds, including funds of sponsors and  
12 registration fees, related to such conferences, meetings, and  
13 training sessions. Any expenses incurred may be paid directly to  
14 the contracting agency or business establishment.

15 2. The cost of food for persons attending any conferences,  
16 meetings, and training sessions that do not require overnight travel  
17 shall not exceed the total daily rate as provided in the State  
18 Travel Reimbursement Act.

19 P. 1. The State Regents for Higher Education is hereby  
20 authorized to enter into contracts and agreements for the payment of  
21 food, lodging, and other authorized expenses as may be necessary to  
22 host, conduct, sponsor, or participate in conferences, meetings, or  
23 training sessions. The State Regents for Higher Education may  
24 establish accounts as necessary for the collection and distribution

1 of funds, including funds of sponsors and registration fees, related  
2 to such conferences, meetings, and training sessions. Any expenses  
3 incurred may be paid directly to the contracting agency or business  
4 establishment.

5 2. The cost of food for persons attending any conferences,  
6 meetings, and training sessions that do not require overnight travel  
7 shall not exceed the total daily rate as provided in the State  
8 Travel Reimbursement Act.

9 Q. 1. The Office of Educational Quality and Accountability is  
10 hereby authorized to enter into contracts and agreements for the  
11 payment of food, lodging, and other authorized expenses as may be  
12 necessary to host, conduct, sponsor, or participate in conferences,  
13 meetings, or training sessions. The Office of Educational Quality  
14 and Accountability may establish accounts as necessary for the  
15 collection and distribution of funds, including funds of sponsors  
16 and registration fees, related to such conferences, meetings, and  
17 training sessions. Any expenses incurred may be paid directly to  
18 the contracting agency or business establishment.

19 2. The cost of food for persons attending any conferences,  
20 meetings, and training sessions that do not require overnight travel  
21 shall not exceed the total daily rate as provided in the State  
22 Travel Reimbursement Act.

23 R. Whenever possible it shall be the policy of each state  
24 agency to prepay airline fares and lodging expenses using a purchase

1 card issued to the agency. This policy shall apply to instances  
2 where employees of the agency are traveling on behalf of state  
3 government.

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

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

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