

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2484

By: McCall

4  
5  
6 AS INTRODUCED

7 An Act relating to public finance; creating the  
8 Office of Government Accountability; specifying  
9 purpose and duties; providing for payment of expenses  
10 of Office; creating oversight committee; providing  
11 for membership of committee; providing procedures for  
12 conduct of performance evaluations; defining term;  
13 requiring coordination with work of Agency  
14 Performance and Accountability Commission; specifying  
15 duty of state agencies and institutions; providing  
16 for confidentiality of certain records; requiring  
17 certain reports and recommendations; providing for  
18 codification; and declaring an emergency.

19  
20  
21  
22  
23  
24  
25 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

26 SECTION 1. NEW LAW A new section of law to be codified  
27 in the Oklahoma Statutes as Section 8011 of Title 62, unless there  
28 is created a duplication in numbering, reads as follows:

29 A. There is hereby created within the Legislative Service  
30 Bureau the Office of Government Accountability. The purpose of the  
31 Office shall be to assist the Legislature in performing its  
32 constitutional and statutory function of ensuring that government  
33 funds are expended in a fiscally responsible manner.

1 B. The Office of Government Accountability shall consist of  
2 fifteen (15) persons, each of whom shall be employed pursuant to the  
3 mutual agreement of the Speaker of the Oklahoma House of  
4 Representatives and the President Pro Tempore of the Oklahoma State  
5 Senate. The positions for the Office of Government Accountability  
6 shall be initially filled not later than ninety (90) days after the  
7 effective date of this act.

8 C. The operations of the Office shall be overseen by the  
9 committee created in Section 3 of this act.

10 D. All expenses of the Office shall be paid by the Legislative  
11 Service Bureau, subject to the approval of the President Pro Tempore  
12 of the Senate and the Speaker of the House of Representatives.  
13 Employees of the Office shall be employed by the Legislative Service  
14 Bureau.

15 E. The Office of Government Accountability shall create and  
16 maintain a website to provide public access to the financial  
17 information and other documentation gathered by the Office of  
18 Government Accountability.

19 SECTION 2. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 8012 of Title 62, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. The Office of Government Accountability shall conduct  
23 performance evaluations. The oversight committee created in Section  
24 3 of this act shall periodically identify specific executive branch

1 agencies, or programs, activities or functions within executive  
2 branch agencies, for which the Office shall conduct a performance  
3 evaluation. As used in this act, "performance evaluation" means an  
4 examination of a program, activity or function of an executive  
5 branch agency, conducted in accordance with applicable government  
6 auditing standards or auditing and evaluation standards of other  
7 appropriate authoritative bodies. The term includes, but is not  
8 limited to, an examination of issues related to:

9 1. Economy, efficiency or effectiveness of the agency or  
10 program, including any revenue sources used to fund or support the  
11 agency or program;

12 2. Structure or design of the agency or program to accomplish  
13 its goals and objectives;

14 3. Adequacy of the agency or program to meet the needs or  
15 policy goals identified by the Legislature;

16 4. Alternative methods of providing agency or program services  
17 or products;

18 5. Goals, objectives and performance measures used by the  
19 agency to monitor and report agency or program accomplishments;

20 6. The accuracy or adequacy of public documents, reports or  
21 requests prepared by or in relation to the agency or program;

22 7. Compliance with appropriate policies, rules or laws related  
23 to the agency or program; and  
24

1 8. Any other issues related to such agencies or programs as  
2 directed by the oversight committee.

3 B. The Office of Government Accountability shall:

4 1. Gather information regarding the proposed budgets of  
5 executive branch agencies each fiscal year;

6 2. Analyze the information and evaluate the extent to which the  
7 agency budget does or does not fulfill the agency's primary duties  
8 and responsibilities under applicable provisions of federal, state  
9 or other law;

10 3. Analyze and forecast all revenues available to the agency  
11 from appropriations, fees, dedicated revenue or any other source;

12 4. Compare the agency budget information to the comparable  
13 information contained in that agency's budget requests from prior  
14 fiscal years; and

15 5. Conduct such investigations regarding the operations of the  
16 agency as required in order to fulfill the duties imposed upon the  
17 Office of Government Accountability by law.

18 C. The oversight committee shall monitor the work of the Agency  
19 Performance and Accountability Commission and shall ensure that its  
20 efforts do not duplicate the independent comprehensive performance  
21 audits required in Section 8003 of Title 62 of the Oklahoma  
22 Statutes; provided, if such an audit results in a finding that the  
23 oversight committee determines merits additional review, it may  
24 direct the Office to do so.

1 D. The Office shall perform such other duties as may be  
2 mutually assigned by agreement of both the Speaker of the Oklahoma  
3 House of Representatives and the President Pro Tempore of the  
4 Oklahoma State Senate.

5 SECTION 3. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 8013 of Title 62, unless there  
7 is created a duplication in numbering, reads as follows:

8 There is hereby created within the Legislature a committee to  
9 oversee the operations of the Office of Government Accountability.  
10 The committee shall consist of eight (8) members of the Legislature,  
11 as follows:

12 1. Four members of the House of Representatives appointed by  
13 the Speaker of the Oklahoma House of Representatives; and

14 2. Four members of the Senate appointed by the President Pro  
15 Tempore of the Oklahoma Senate.

16 SECTION 4. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 8014 of Title 62, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. Each agency or institution of the state shall, upon request,  
20 furnish and make available to the Office of Government  
21 Accountability all records, documents, materials, personnel,  
22 information or other resources as the Office deems necessary to  
23 conduct performance evaluations as required by this act. Any  
24 record, document, material or other information made confidential by

1 law shall be provided to the Office, which shall also maintain such  
2 confidentiality. All records, documents, materials or other  
3 information of the Office shall be deemed to be a record of the  
4 Legislature.

5 B. Each state agency and other affected persons shall cooperate  
6 with the oversight committee and the Office in the providing of any  
7 information requested. The oversight committee shall have the power  
8 to conduct hearings, administer oaths, issue subpoenas and compel  
9 the attendance of witnesses and the production of information as  
10 provided in Section 773 of Title 74 of the Oklahoma Statutes.

11 SECTION 5. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 8015 of Title 62, unless there  
13 is created a duplication in numbering, reads as follows:

14 The Office of Government Accountability shall prepare and submit  
15 to the oversight committee a report of its findings for each  
16 performance evaluation conducted. Such reports shall be available  
17 to the public, other than with respect to any information or  
18 material made confidential by law. The oversight committee may make  
19 recommendations to the agency evaluated, or to the Legislature and  
20 the Governor, for further action as it deems necessary, and may  
21 direct the Office to monitor and report on implementation of such  
22 recommendations.

23 SECTION 6. It being immediately necessary for the preservation  
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3

4 57-1-7687 LRB 01/17/19

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24