

1 **SENATE FLOOR VERSION**

2 March 30, 2016

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 3058

6 By: Newell of the House

7 and

8 Treat of the Senate

9 [public finance - agency revolving funds -
10 prescribing procedures - providing for administrative
11 rules - ~~effective date~~ -

12 emergency]

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 154 of Title 62, unless there is
16 created a duplication in numbering, reads as follows:

17 A. By the first Monday in August of each year, the Office of
18 Management and Enterprise Services shall reconcile all state agency
19 revolving funds, **except for those funds established pursuant to**
20 **Section 3901 of Title 70 of the Oklahoma Statutes**, pursuant to
21 reconciliation criteria developed by the Director of the Office of
22 Management and Enterprise Services for each individual state agency
23 revolving fund, which may include but is not limited to no action,
24 cash transfer or requisite fee or fine reduction. Such criteria
shall be adopted by rule and subject to the Administrative

1 Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma
2 Statutes, and codified in the administrative code of the Office of
3 Management and Enterprise Services.

4 B. The Office of Management and Enterprise Services shall
5 separate appropriated agencies from nonappropriated agencies and
6 shall make a report regarding the revolving funds of each agency
7 type for purposes of this section.

8 C. With respect to the revolving fund balances of an
9 appropriated agency, such balances shall be transferred to the
10 Special Cash Fund.

11 D. With respect to the revolving fund balances of
12 nonappropriated agencies, the recommendations of the Office of
13 Management and Enterprise Services shall be communicated in writing
14 to the Speaker of the Oklahoma House of Representatives, to the
15 President Pro Tempore of the Oklahoma State Senate and to the
16 chairperson of the standing committee responsible for the analysis
17 of administrative rules for both the Oklahoma House of
18 Representatives and the Oklahoma State Senate.

19 E. Proceeds realized through the reconciliation shall be
20 deposited in the Special Cash Fund for certification by the State
21 Board of Equalization at the December meeting for expenditure
22 authority in the following fiscal year.

23 F. By the second Friday in August of each year, state agency
24 directors may file reconciliation protests with the Legislative

1 Oversight Committee on State Budget Performance. If a protest is
2 filed, the Committee may convene by the first Friday in December to
3 consider the protest.

4 **G. The provisions of this section shall not apply to a**
5 **nonappropriated agency that has authority to refund from its**
6 **revolving fund a portion of collected fees, fines or assessments on**
7 **a pro rata basis.**

8 ~~SECTION 2. This act shall become effective July 1, 2016.~~

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

13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
14 March 30, 2016 - DO PASS AS AMENDED

15
16
17
18
19
20
21
22
23
24