

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3917

By: Caldwell (Chad)

AS INTRODUCED

An Act relating to public finance; prescribing requirements for consideration of general appropriations measure or special appropriations measures; requiring prescribed interval prior to action by legislative committees; defining terms; imposing requirements with respect to identification of certain revenue sources in legislative measures; imposing requirements with respect to content of certain appropriations related measures; prohibiting certain conduct by members of the Legislature or employees of the Legislature or related entities; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8101 of Title 62, unless there is created a duplication in numbering, reads as follows:

During any regular or extraordinary session of the Legislature, if a general appropriations bill is under consideration pursuant to Section 56 of Article V of the Oklahoma Constitution, or if a measure which limits the expenditure of monies appropriated in a general appropriations bill is under consideration, no committee of

1 either the Oklahoma House of Representatives or the Oklahoma State  
2 Senate to which either such type of measure is assigned shall  
3 conduct a meeting at which the measure could be reported from the  
4 committee unless notice of such meeting is posted and made available  
5 in readily accessible form to the public, including but not limited  
6 to posting on the website of the applicable chamber of the  
7 Legislature or a website maintained by both such chambers, for at  
8 least three (3) legislative days prior to the date upon which the  
9 measure is considered by the members of the committee and voted  
10 upon.

11 SECTION 2. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 8102 of Title 62, unless there  
13 is created a duplication in numbering, reads as follows:

14 During any regular or extraordinary session of the Legislature,  
15 if a general appropriations bill is under consideration by either  
16 the Oklahoma House of Representatives or the Oklahoma State Senate  
17 pursuant to Section 56 of Article V of the Oklahoma Constitution, or  
18 if a measure which limits the expenditure of monies appropriated in  
19 a general appropriations bill is under consideration by either the  
20 Oklahoma House of Representatives or the Oklahoma State Senate,  
21 neither the Oklahoma House of Representatives nor the Oklahoma State  
22 Senate shall vote upon Third Reading or Fourth Reading of the  
23 measure until three (3) complete legislative days elapse between the  
24 date upon which the measure is first available for consideration by  
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1 the applicable chamber according to either joint rules or the rules  
2 of the applicable chamber and the date upon which the measure is  
3 considered by the members of the applicable chamber for purposes of  
4 either Third Reading or Fourth Reading.

5 SECTION 3. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 8103 of Title 62, unless there  
7 is created a duplication in numbering, reads as follows:

8 A. As used in this section:

9 1. "Agency" means an entity of state government created either  
10 by the Oklahoma Constitution or pursuant to laws enacted by the  
11 Legislature, and includes, without limitation, an entity designated  
12 as an agency, board, commission, department or any other entity  
13 which receives appropriated public funds or which receives public  
14 funds derived from a state tax, fee or other source of revenue;

15 2. "Non-recurring expense" means a payment by an agency to its  
16 employees or to another legal entity required or authorized to be  
17 paid, but which is not frequent enough to be considered part of the  
18 baseline budget for the agency from one fiscal year to any  
19 succeeding fiscal year;

20 3. "Recurring expense" means a payment by an agency to its  
21 employees or to another legal entity required or authorized to be  
22 paid, but which is frequent enough to be considered part of the  
23 baseline budget for the agency from one fiscal year to any  
24 succeeding fiscal year;

1 4. "Non-recurring revenue" means a source of taxes, fees or  
2 other monies paid by persons or lawfully recognized business  
3 entities to the State of Oklahoma or any of its agencies, including  
4 federal funds pursuant to an authorization by Congress, with a  
5 frequency of payment less often than is required in order for the  
6 source of payment to be considered recurring. For purposes of this  
7 paragraph, a source of revenue which is available with reasonable  
8 certainty less often than once each three (3) fiscal years shall  
9 presumptively considered to be non-recurring; and

10 5. "Recurring revenue" means a source of taxes, fees or other  
11 monies paid by persons or lawfully recognized business entities to  
12 the State of Oklahoma or any of its agencies with a frequency  
13 required based upon laws imposing a tax, fee or other assessment or  
14 exaction. For purposes of this paragraph, revenue shall be  
15 considered recurring whether or not regularly required to be paid to  
16 the State of Oklahoma or its agencies by any one person or by any  
17 one lawfully recognized business entity if payment of the tax, fee  
18 or assessment or exaction is generally required to be made by an  
19 entire class of persons or lawfully recognized business entities.

20 B. A general appropriations bill or a special appropriations  
21 bill or any other measure which describes the expenditure of public  
22 funds to an agency, board, commission or department or other entity  
23 of state government shall specifically identify whether the source  
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1 of revenue being expended is recurring or non-recurring according to  
2 the definitions as prescribed by subsection A of this section.

3 SECTION 4. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 8104 of Title 62, unless there  
5 is created a duplication in numbering, reads as follows:

6 All expenditures from the General Revenue Fund of the State  
7 Treasury shall be made in either a general appropriations bill or a  
8 special appropriations bill according to the provisions and  
9 requirements of Sections 55, 56 and 57 of Article V of the Oklahoma  
10 Constitution.

11 SECTION 5. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 8105 of Title 62, unless there  
13 is created a duplication in numbering, reads as follows:

14 It shall be unlawful for any member of the Legislature or any  
15 employee of either chamber of the Legislature or any other employee  
16 of an entity providing services to either or both chambers of the  
17 Legislature to influence, directly or indirectly, any public  
18 official or public employee with respect to the expenditure of funds  
19 that have been appropriated to any agency, board, commission,  
20 department or other entity of state government in either a general  
21 appropriations bill or a special appropriations bill.

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

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