

1 **SENATE FLOOR VERSION**

2 February 22, 2023

3 SENATE BILL NO. 495

By: McCortney of the Senate

4 and

5 Lowe (Dick) of the House

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8 An Act relating to unfunded mandates; defining term;
9 prohibiting certain mandates; stating standards for
10 what are considered unfunded mandates; providing for
unenforceability without adequate funding; providing
for codification; and providing an effective date.

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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 13001 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section, "unfunded mandate" means any act,
18 law, order, decision, policy, or official action implemented by the
19 Legislature, state agency, department, or commission that mandates a
20 political subdivision, by action or inaction, to expend funds to
21 implement or eliminate any policy, ordinance, programs, or
22 activities without being fully appropriated.

23 B. The Legislature, state agency, department, or commission
24 shall not implement any mandate to any political subdivision of this

1 state, unless a specific appropriation is made to fully fund the
2 political subdivision for all costs related to the mandate. If no
3 appropriation is made to the political subdivisions, the mandate
4 shall be considered an unfunded mandate and unenforceable. Any
5 financial impact of any size determined to exist by the political
6 subdivision shall be sufficient to deem an unfunded mandate.
7 Financial increases related to clerical work, office supplies, and
8 creating and submitting reports shall be exempted from this act.

9 SECTION 2. This act shall become effective November 1, 2023.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
11 February 22, 2023 - DO PASS
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