

1 **SENATE FLOOR VERSION**

2 February 14, 2019

3 SENATE BILL NO. 639

By: Allen

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5
6 An Act relating to the Corporation Commission;
7 amending 17 O.S. 2011, Section 325, as amended by
8 Section 23, Chapter 27, O.S.L. 2018 (17 O.S. Supp.
9 2018, Section 325), which relates to annual reports;
10 requiring certain reports be made available
11 electronically; modifying distribution of certain
12 reports; updating statutory reference; and providing
13 an effective date.

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

15 SECTION 1. AMENDATORY 17 O.S. 2011, Section 325, as
16 amended by Section 23, Chapter 27, O.S.L. 2018 (17 O.S. Supp. 2018,
17 Section 325), is amended to read as follows:

18 Section 325. A. The Director of the Petroleum Storage Tank
19 Division shall make a written and electronic report on an annual
20 basis to the Corporation Commissioners, the Storage Tank Advisory
21 Council, the Governor, the Speaker of the House of Representatives
22 and the President Pro Tempore of the Senate detailing the following:

23 1. The total number of storage tank applicants requesting
24 disbursement from the Indemnity Fund during the preceding year;

1 2. The total number of storage tank applicants receiving
2 payment during the preceding year and total amount disbursed for
3 such payments;

4 3. The average time frame for providing disbursements to
5 applicants;

6 4. The total amount of funds needed to complete the corrective
7 action and achieve closure of all release cases; and

8 5. Any other information requested by the Speaker of the House
9 of Representatives or the President Pro Tempore of the Senate
10 regarding the Indemnity Fund program.

11 B. The Oklahoma Tax Commission shall submit an annual report to
12 the Governor, the Speaker of the House of Representatives and the
13 President Pro Tempore of the Senate detailing the amount of
14 assessments collected for deposit to the Indemnity Fund and to the
15 State Transportation Fund.

16 C. The Oklahoma Department of Transportation shall submit an
17 annual report to the Governor, the Speaker of the House of
18 Representatives and the President Pro Tempore of the Senate
19 detailing the expenditures made from the revenue received from the
20 assessment levied pursuant to Section ~~25 of this act~~ Section 327.1
21 of this title.

22 D. The Oklahoma Department of Environmental Quality shall
23 submit an annual report to the Governor, the Speaker of the House of
24 Representatives and the President Pro Tempore of the Senate

1 detailing the expenditures made from the revenue received from the
2 assessment levied pursuant to Section ~~25 of this act~~ Section 327.1
3 of this title.

4 E. By December 1, 1998, and every year thereafter, the State
5 Auditor and Inspector shall conduct an independent audit of the
6 books, records, files and other such documents of the Corporation
7 Commission pertaining to and which relate to the administration of
8 the Petroleum Storage Tank Indemnity Fund. The audit shall include
9 but shall not be limited to a review of agency compliance with state
10 statutes regarding the Indemnity Fund, internal control procedures,
11 adequacy of claim process expenditures from and debits of the
12 Indemnity Fund regarding administration, personnel, operating and
13 other expenses charged by the Corporation Commission; the duties
14 performed in detail by agency personnel and Indemnity Fund personnel
15 for which payment is made from the Indemnity Fund, and
16 recommendations for improving claim processing, equipment needed for
17 claim processing, internal control or structure for administering
18 the Indemnity Fund; and such other areas deemed necessary by the
19 State Auditor and Inspector.

20 F. The cost of the audit shall be borne by the Indemnity Fund.

21 G. Copies of the audit shall be submitted to the State Auditor
22 and Inspector, the Governor, the Speaker of the House of
23 Representatives, the President Pro Tempore of the Senate and the
24

1 Chairs of the Appropriation Committees of both the Oklahoma House of
2 Representatives and the Oklahoma State Senate.

3 SECTION 2. This act shall become effective November 1, 2019.

4 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
5 February 14, 2019 - DO PASS
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