

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 BILL NO. 639

By: Allen of the Senate

and

Taylor of the House

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

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

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

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

- 1 1. The total number of storage tank applicants requesting
2 disbursement from the Indemnity Fund during the preceding year;
- 3 2. The total number of storage tank applicants receiving
4 payment during the preceding year and total amount disbursed for
5 such payments;
- 6 3. The average time frame for providing disbursements to
7 applicants;
- 8 4. The total amount of funds needed to complete the corrective
9 action and achieve closure of all release cases; and
- 10 5. Any other information requested by the Speaker of the House
11 of Representatives or the President Pro Tempore of the Senate
12 regarding the Indemnity Fund program.

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

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

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1 D. The Oklahoma Department of Environmental Quality shall
2 submit an annual report to the Governor, the Speaker of the House of
3 Representatives and the President Pro Tempore of the Senate
4 detailing the expenditures made from the revenue received from the
5 assessment levied pursuant to Section ~~25 of this act~~ Section 327.1
6 of this title.

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

23 F. The cost of the audit shall be borne by the Indemnity Fund.
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1 G. Copies of the audit shall be submitted to the State Auditor
2 and Inspector, the Governor, the Speaker of the House of
3 Representatives, the President Pro Tempore of the Senate and the
4 Chairs of the Appropriation Committees of both the Oklahoma House of
5 Representatives and the Oklahoma State Senate.

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

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8 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
9 dated 04/02/2019 - DO PASS.
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