

1 **SENATE FLOOR VERSION**

2 February 4, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 799

6 By: Leewright and Bergstrom

7 An Act relating to Oklahoma Art In Public Places Act;
8 amending 74 O.S. 2011, Section 9030.5, as amended by
9 Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp.
10 2020, Section 9030.5), which relates to allocation of
11 funds for art in public places; exempting certain
12 agency for maintenance and certain repairs and
13 remodels; clarifying new construction project
14 allocation of funds; providing an effective date; and
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY 74 O.S. 2011, Section 9030.5, as
18 amended by Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2020,
19 Section 9030.5), is amended to read as follows:

20 Section 9030.5. A. 1. Except as otherwise provided by
21 subsection C of this section, all state agencies, including
22 institutions within The Oklahoma State System of Higher Education,
23 all state departments, boards, councils, and commissions shall
24 allocate, as a nondeductible item out of any expenditures for
capital projects including, but not limited to, bond issues for
state construction excluding costs for bond issuance and related

1 reserves, an amount of one and one-half percent (1 1/2%) of the
2 expenditure to the Oklahoma Arts Council for the purpose of funding
3 the Oklahoma Art in Public Places Act, except as otherwise provided
4 by subsection B of this section.

5 2. The maximum assessment for any project shall not exceed Five
6 Hundred Thousand Dollars (\$500,000.00). This assessment shall not
7 apply to any private donations for a capital project. This
8 allocation shall be applicable to all state agency capital projects
9 approved by the appointing authority after September 1, 2004. The
10 works of art commissioned pursuant to the Oklahoma Art in Public
11 Places Act may be placed on public lands, integral to or attached to
12 a public building or structure, or detached within or outside a
13 public building or structure.

14 B. 1. Of the assessment provided for in subsection A of this
15 section, four-fifths (4/5) shall be placed in the Commissioning of
16 Art in Public Places Revolving Fund, created in Section 9030.6 of
17 this title, for the commission of any work of art for the Oklahoma
18 Art in Public Places Act. Institutions within The Oklahoma State
19 System of Higher Education shall remain in complete administrative
20 control of their four-fifths (4/5) assessment pursuant to this
21 subsection for the acquisition of art. The remaining one-fifth
22 (1/5) of the assessment shall be reserved for the Art in Public
23 Places Administrative and Maintenance Revolving Fund created by
24 Section 9030.7 of this title.

1 2. Monies deposited in the Art in Public Places Administrative
2 and Maintenance Revolving Fund for the purpose of this moratorium,
3 shall be used for continued administration, educational costs, and
4 maintenance.

5 C. The provisions of subsection A of this section shall not be
6 applicable for the ~~fiscal years ending:~~

7 ~~1. June 30, 2012;~~

8 ~~2. June 30, 2013; and~~

9 ~~3. June 30, 2014~~ Department of Tourism when budgeting,
10 contracting for and performing routine maintenance, repairs,
11 remodels or pre-fabrication installations for existing state park
12 lodges, buildings and structures; however, all new construction
13 projects shall be required to comply with the provisions of
14 subsection A of this section.

15 SECTION 2. This act shall become effective July 1, 2021.

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

20 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
21 February 4, 2021 - DO PASS AS AMENDED

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