

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 884

By: Brecheen

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5
6 AS INTRODUCED

7 An Act relating to art in public places; amending 74
8 O.S. 2011, Section 9030.5, as amended by Section 5,
9 Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2017, Section
10 9030.5), which relates to funding by state agencies;
11 providing automatic moratorium on certain funding
12 depending on certain certification of revenue;
13 removing obsolete language; and declaring an
14 emergency.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 9030.5, as
17 amended by Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2017,
18 Section 9030.5), is amended to read as follows:

19 Section 9030.5. A. 1. Except as otherwise provided by
20 subsection C of this section, all state agencies, including
21 institutions within The Oklahoma State System of Higher Education,
22 all state departments, boards, councils, and commissions shall
23 allocate, as a nondeductible item out of any expenditures for
24 capital projects including, but not limited to, bond issues for
state construction excluding costs for bond issuance and related
reserves, an amount of one and one-half percent (1 1/2%) of the

1 expenditure to the Oklahoma Arts Council for the purpose of funding
2 the Oklahoma Art in Public Places Act, except as otherwise provided
3 by subsection B of this section.

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

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

10 certification approved by the State Board of Equalization at the
11 February meeting of the Board is less than the amount certified by
12 the Board at the February meeting of the previous year.

13 SECTION 2. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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