An Act

ENROLLED SENATE
BILL NO. 541

By: Sykes of the Senate

and

Murphey and Derby of the House

An Act relating to state government; enacting the Oklahoma Innovation, Efficiency and Accountability Act of 2011; amending Section 5, Chapter 322, O.S.L. 2009 (62 O.S. Supp. 2010, Section 41.5p-1), which relates to certain licenses and permits; authorizing electronic signatures under certain circumstances; excluding driver license renewal applications from requirements for web-based license and permit applications and renewals; amending 62 O.S. 2001, Section 41.29, as renumbered by Section 64, Chapter 441, O.S.L. 2009, and as last amended by Section 44, Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010, Section 34.36), which relates to certain itemized requests; modifying required content with respect to employee engaged in financial services; requiring publication of report; specifying content of report; providing exemption from certain requirements to the Oklahoma State Regents for Higher Education and to institutions within The Oklahoma State System of Higher Education; providing for noncodification; and providing for recodification.

SUBJECT: Oklahoma Innovation, Efficiency and Accountability Act of 2011

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma Innovation, Efficiency and Accountability Act of 2011".

SECTION 2. AMENDATORY Section 5, Chapter 322, O.S.L. 2009 (62 O.S. Supp. 2010, Section 41.5p-1), is amended to read as follows:

Section 41.5p-1 A. Except as otherwise provided by this section, as of July 1, 2010, each state agency, board, commission or other entity organized within the executive department of state government responsible for licensing or permitting shall utilize the portal system to allow for ~~the~~ a link to a web-based application and renewal application for any license or permit issued by that agency. Access to the online renewal systems shall be featured prominently on the portal system.

B. Each entity responsible for licensing or permitting shall make available to the Office of State Finance on a yearly basis a report describing the number of licenses issued, license renewals and permits issued as well as an estimate of the amount of savings incurred by the entity as a result of the online licensing and permitting process.

C. The Office of State Finance shall make available to the public a copy of each report submitted in accordance with the requirements of subsection B of this section by placing the report on the website defined in Section 46 of ~~Title 62 of the Oklahoma Statutes~~ this title.

D. The Director of the Office of State Finance may exempt a specific license or permit from the requirements of this section should ~~he~~ the Director find compelling evidence that the issuance of the license or permit requires the provision of information that cannot be provided through an online licensing or permitting process and when the failure of the applicant to provide the information would create a significant risk to the integrity of the license or permit. The Director of the Office of State Finance shall document any exemptions issued pursuant to the provisions of this subsection and describe the compelling evidence justifying the need for the

exemptions in a report to be provided to the Governor, Speaker of the Oklahoma House of Representatives and Speaker Pro Tempore of the State Senate. The exception provided for in this subsection shall not apply to license renewals pursuant to the Oklahoma Vehicle License and Registration Act of Title 47 of the Oklahoma Statutes.

E. The state agencies may accept an electronic signature in the application process for any license or permit, provided the use of an electronic signature does not create a significant risk to the integrity of the license or permit.

F. Nothing in this section shall apply to driver license renewal applications.

SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.29, as renumbered by Section 64, Chapter 441, O.S.L. 2009, and as last amended by Section 44, Chapter 2, O.S.L. 2010 (62 O.S. Supp. 2010, Section 34.36), is amended to read as follows:

Section 34.36 A. On the first day of October preceding each regular session of the Legislature, each state agency, including those created or established pursuant to constitutional provisions, shall report to the Director of the Office of State Finance and the Chair and Vice Chair of the Legislative Oversight Committee on State Budget Performance an itemized request showing the amount needed for the ensuing fiscal year beginning with the first day of July.

B. The forms which must be used in making these reports shall be approved by the Director of the Office of State Finance and the Legislative Oversight Committee on State Budget Performance.

C. The forms shall be uniform, and shall clearly designate the information to be given.

D. The information provided shall include, but not be limited to:

1. A budget analysis of existing and proposed programs utilizing zero-based budgeting techniques. Such analysis shall be included as a part of the estimate of funds needed;

2. A statement listing any other state, federal or local agencies which administer a similar or cooperating program and an outline of the interaction among such agencies;

3. A statement of the statutory authority for the missions and quantified objectives of each program;

4. A description of the groups of people served by each program in the agency;

5. A quantification of the need for the program;

6. A description of the tactics which are intended to accomplish each objective;

7. A list of quantifiable program outcomes which measure the efficiency and effectiveness of each program;

8. A ranking of these programs by priority;

9. Actual program expenditures for the current fiscal year and prior fiscal years and the number of personnel required to accomplish each program; ~~and~~

10. Revenues expected to be generated by each program, if any;

11. With respect to appropriated state agencies, a detailed listing of all employees and resources dedicated to the provision of financial services including but not limited to procurement, payroll, accounts receivable and accounts payable. The provisions of this paragraph shall not be applicable to the Oklahoma State Regents for Higher Education or to any institutions within The Oklahoma State System of Higher Education; and

12. A certification that following the effective date of this act and prior to July 1, 2011, no expenditure shall have been made or funds encumbered for the purchase, lease, lease-purchase or rental of any computers, software, telecom, information technology hardware, firmware or information technology services, including support services without the prior written approval of the State Comptroller or his or her designee.

E. These appropriated agencies shall make an itemized estimate of needs and request for funds for the ensuing fiscal year and an estimate of the revenues from all sources to be received by the agency during the ensuing fiscal year.

F. The Director of the Office of State Finance shall submit to the Governor and the Legislative Oversight Committee on State Budget Performance no later than the fifth day of October a complete list of all spending agencies which have failed to submit budgets by October 1.

G. The reports required by this section shall include an itemized listing of outstanding capital lease debt and estimated capital lease needs for the ensuing fiscal year, and shall be provided on forms prescribed by the Director of the Office of State Finance.

H. For the purposes of this section, "capital lease" means a lease-purchase agreement which provides an option for the State of Oklahoma or its agencies to purchase property, including personal and real property, which is the subject thereof and/or a lease agreement that provides an option for the State of Oklahoma or its agencies to lease such property, which is the subject thereof, at a nominal annual amount, after a period in which leased property is rented at fair market value.

I. The provisions of this section shall not apply to CompSource Oklahoma if CompSource Oklahoma is operating pursuant to a pilot program authorized by Sections 3316 and 3317 of Title 74 of the Oklahoma Statutes.

J. Not later than January 1, the Director of the Office of State Finance shall publish a financial services cost-performance assessment which shall document each appropriated state agency's cost for providing financial services including but not limited to procurement, payroll, accounts receivable and accounts payable. Appropriated state agencies ranking in the bottom ten percent (10%) of the cost-performance assessment shall enter into a contract with the Office of State Finance for the provision of shared financial services, provided that the Director of the Office of State Finance determines and documents that the contractual agreement will result in cost savings to the appropriated state agency. Contracts

required by this subsection shall be entered into at the start of the next fiscal year. On a yearly basis the Director of the Office of State Finance shall compile and publish a report documenting the cost savings resulting from shared services contracts. The provisions of this subsection shall not be applicable to the Oklahoma State Regents for Higher Education or to any institutions within The Oklahoma State System of Higher Education.

SECTION 4. RECODIFICATION Section 5, Chapter 322, O.S.L. 2009 (62 O.S. Supp. 2010, Section 41.5p-1), as amended by Section 2 of this act, shall be recodified as Section 34.24.1 of Title 62 of the Oklahoma Statutes, unless there is created a duplication in numbering.

Passed the Senate the 9th day of May, 2011.

Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2011.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 10th

day of May, 20 11,

at 12:58 o'clock P M.

By: Jessica R Bryan

Approved by the Governor of the State of Oklahoma the 16th day of

May, 20 11, at 2:18 o'clock P M.

Mary Fallin

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

16th day of May, 20 11,

at 3:03 o'clock P M.

By: Michelle R Day