An Act

ENROLLED SENATE
BILL NO. 849

By: Paxton of the Senate

and

Caldwell (Trey) of the House

An Act relating to the Oklahoma Broadband Expansion Act; amending Section 5, Chapter 229, O.S.L. 2022 (74 O.S. Supp. 2022, Section 9204), which relates to the Oklahoma Broadband Office; modifying requirements for assistance provided to the Office by certain agency; requiring fulfillment of certain assistance request by certain date; providing for extension; providing for hiring of certain personnel; updating statutory references; updating statutory language; and declaring an emergency.

SUBJECT: Oklahoma Broadband Expansion Act

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

SECTION 1. AMENDATORY Section 5, Chapter 229, O.S.L. 2022 (74 O.S. Supp. 2022, Section 9204), is amended to read as follows:

Section 9204. A. There is hereby created until June 30, 2028, the Oklahoma Broadband Office, to serve as the state's sole administrator of the functions, powers, and duties assigned to the Office in ~~this act~~ the Oklahoma Broadband Expansion Act or under law. Effective June 30, 2028, the Office shall terminate and all personnel positions shall be abolished. The Office shall utilize the year prior to the termination date for the purpose of ceasing the Office's affairs.

B. The Office shall receive administrative assistance from the Office of Management and Enterprise Services (OMES), which shall

provide, through existing OMES resources, administrative assistance upon request in writing or electronic correspondence from the Office's Executive Director~~, within a reasonable time to allow the performance of the Office's duties or~~. OMES shall provide assistance in the manner requested within thirty (30) days of determination by the Agency that the request is able to be fulfilled. If for any reason the request cannot be fulfilled within thirty (30) days, the Office and OMES shall enter into a written agreement expressing an agreed upon timeline for fulfilling the needs of the Office. In the event that the request cannot be fulfilled, OMES shall respond in writing within ten (10) days of the request providing ~~reasons why the request cannot be fulfilled~~ the reasoning for denial. If the request cannot be fulfilled utilizing existing resources, OMES may charge the Office for the actual cost to fulfill the request.

C. The Office shall be governed by the Broadband Governing Board, created pursuant to Section ~~3~~ 9202 of this ~~act~~ title.

D. The Office shall be advised by the Broadband Expansion Council, created pursuant to Section ~~4~~ 9203 of this ~~act~~ title.

E. The Office shall have an Executive Director who shall oversee the operations of the Office including, but not limited to:

1. Overseeing the creation, maintenance, and completion of the Statewide Broadband Plan;

2. Communicating the state's progress in achieving the goals and implementation of the Statewide Broadband Plan;

3. The creation, housing, and updating of a statewide broadband services map;

4. Overseeing of grant applications and awards for connectivity and affordability projects;

5. Making recommendations to the Board regarding procedural and administrative rules for the Office; and

6. Employment and management of Office staff subject to the limitations and requirements of ~~this act~~ the Oklahoma Broadband

Expansion Act and subject to the limitations and requirements of the Broadband Governing Board.

F. The Executive Director shall regularly report to the Council and the Board and shall submit an annual report to the Office of the Speaker of the ~~Oklahoma~~ House of Representatives and the Office of the President Pro Tempore of the ~~Oklahoma State~~ Senate.

G. The Office may hire legal counsel as it is deemed necessary by the hiring entity. The Office shall be subject to the provisions of Section 20i of this title.

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

Passed the Senate the 24th day of May, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of May, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th

day of May, 20 23, at 3:40 o'clock p. M.

By: Jennie Curry

Approved by the Governor of the State of Oklahoma this 6th

day of June, 20 23, at 4:08 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 6th

day of June, 20 23, at 5:16 o'clock P. M.

By: Brian Bingman