

An Act

ENROLLED SENATE
BILL NO. 187

By: Montgomery of the Senate

and

Taylor, Newton and Pae of
the House

An Act relating to cities and towns; stating legislative intent; terminating certain temporary budget option upon certain circumstances; creating the Municipal Government COVID-19 Emergency Budget Act; authorizing municipal governments to adopt a temporary budget; listing certain temporary budget process requirements; providing for noncodification; providing for codification; and declaring an emergency.

SUBJECT: Budgeting procedures

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:

The Municipal Government COVID-19 Emergency Budget Act is intended to serve as a short-term budget solution for municipal governments due to the extreme volatility in sales tax revenue projections resulting from the COVID-19 pandemic and municipal government reliance on sales tax revenue for general operations. The Municipal Government COVID-19 Emergency Budget Act shall terminate as an optional budget preparation procedure after the implementation of the 2021 fiscal year municipal budgets.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 17-115.2 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Municipal Government COVID-19 Emergency Budget Act".

B. Municipal governments may adopt a temporary budget for the 2021 fiscal year if the municipal governing body determines adopting a yearly budget is not in the best interest of the municipal government due to the effects of the COVID-19 pandemic on revenue projections. The temporary budget process shall comply with the following provisions:

1. The temporary budget shall not exceed six (6) months in duration;

2. At the conclusion of the temporary budget the municipal government shall adopt a permanent budget for the duration of the fiscal year;

3. The temporary budget may be altered or otherwise amended following standard budgeting procedures;

4. In adopting the permanent budget for the 2021 fiscal budget year the municipal government shall comply with all provisions of the Oklahoma Open Meeting Act and shall comply with deadlines within the Municipal Budget Act as provided in Sections 17-201 through 17-216 of Title 11 of the Oklahoma Statutes and the Estimate of Needs Law as provided in Sections 3001 through 3033 of Title 68 of the Oklahoma Statutes and Section 461 of Title 62 of the Oklahoma Statutes, provided that the deadlines may be moved to a later date in the year so long as the total length of required notice has been met;

5. The municipal government shall comply with all provisions of the Oklahoma Open Meeting Act when adopting the temporary municipal budget. Additionally, the municipal government shall provide notice of the meeting where the temporary budget will be considered five (5) days prior to the meeting. The notice shall include the time, date, and place of the meeting. The notice shall also identify and list the website, if available, or other location where copies of

the temporary budget or a temporary budget summary will be available for public inspection. In adopting the temporary budget for the 2021 fiscal budget year the municipal government shall be exempt from any budget preparation notice and publication requirements within the Municipal Budget Act as provided in Sections 17-201 through 17-216 of Title 11 of the Oklahoma Statutes and the Estimate of Needs Law as provided in Sections 3001 through 3033 of Title 68 of the Oklahoma Statutes and Section 461 of Title 62 of the Oklahoma Statutes;

6. Adoption of the temporary budget under the provisions of the Municipal Government COVID-19 Emergency Budget Act shall be deemed sufficient for all requirements and obligations of municipal governments concerning the adoption of a municipal budget; provided that any previous contractual obligation of a municipality dependent on the passage of a municipal budget may be fulfilled by either the temporary budget or the permanent budget at the discretion of the municipal governing body; and

7. The temporary budget options outlined in this section may be utilized by municipal governments operating under the Estimate of Needs Law as provided in Sections 3001 through 3033 of Title 68 of the Oklahoma Statutes and Section 461 of Title 62 of the Oklahoma Statutes, or Municipal Budget Act budgets pursuant to Sections 17-201 through 17-216 of Title 11 of the Oklahoma Statutes.

SECTION 3. 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 14th day of May, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of May, 2020.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____