STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 1

By: Treat

AS INTRODUCED

An Act relating to public finance; creating the Legislative Office of Fiscal Transparency (LOFT); specifying purpose and duties; providing for payment of expenses of Office; creating oversight committee; providing for membership, co-chairs, quorum and meetings thereof; specifying certain powers and duties of oversight committee; providing procedures for conduct of performance evaluations; defining term; requiring coordination with work of Agency Performance and Accountability Commission; specifying duty of state agencies and institutions; providing for confidentiality of certain records; requiring certain reports and recommendations; providing for codification; and declaring an emergency.

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

SECTION 1. SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8011 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created within the Legislature the Legislative Office of Fiscal Transparency (LOFT). The purpose of the Office shall be to assist the Legislature in performing its
constitutional and statutory function of ensuring that government funds are expended in a fiscally responsible manner.

B. The operations of the Office shall be overseen by the committee created in Section 3 of this act. The committee shall employ an Executive Director and such other staff as it may deem necessary to carry out its duties as set forth in this act.

C. All expenses of the Office shall be paid by the Legislative Service Bureau, subject to the approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Employees of the Office shall be employed by the Legislative Service Bureau.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8012 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. The Legislative Office of Fiscal Transparency shall conduct performance evaluations. The oversight committee created in Section 3 of this act shall periodically identify specific executive branch agencies, or programs, activities or functions within executive branch agencies, for which the Office shall conduct a performance evaluation. As used in this act, "performance evaluation" means an examination of a program, activity or function of an executive branch agency, conducted in accordance with applicable government auditing standards or auditing and evaluation standards of other
appropriate authoritative bodies. The term includes, but is not
limited to, an examination of issues related to:

1. Economy, efficiency or effectiveness of the agency or
program, including any revenue sources used to fund or support the
agency or program;

2. Structure or design of the agency or program to accomplish
its goals and objectives;

3. Adequacy of the agency or program to meet the needs or
policy goals identified by the Legislature;

4. Alternative methods of providing agency or program services
or products;

5. Goals, objectives and performance measures used by the
agency to monitor and report agency or program accomplishments;

6. The accuracy or adequacy of public documents, reports or
requests prepared by or in relation to the agency or program;

7. Compliance with appropriate policies, rules or laws related
to the agency or program; and

8. Any other issues related to such agencies or programs as
directed by the oversight committee.

B. The oversight committee shall monitor the work of the Agency
Performance and Accountability Commission and shall ensure that its
efforts do not duplicate the independent comprehensive performance
audits required in Section 8003 of Title 62 of the Oklahoma
Statutes; provided, if such an audit results in a finding that the
oversight committee determines merits additional review, it may
direct the Office to do so.

SECTION 3.  NEW LAW  A new section of law to be codified
in the Oklahoma Statutes as Section 8013 of Title 62, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby created within the Legislature a committee
to oversee the operations of the Legislative Office of Fiscal
Transparency. The committee shall consist of twelve (12) members,
as follows:

1. The chair of the Senate Committee on Appropriations;
2. The chair of the Senate Committee on Finance;
3. The chair of the House Committee on Appropriations and
   Budget;
4. The chair of the House Subcommittee on Finance;
5. Four members of the Senate, at least two of whom shall be
   members of the minority party, to be appointed by the President Pro
   Tempore of the Senate; and
6. Four members of the House of Representatives, at least two
   of whom shall be members of the minority party, to be appointed by
   the Speaker of the House of Representatives.

B. The President Pro Tempore of the Senate and the Speaker of
the House of Representatives shall each designate a co-chair of the
oversight committee from among the members from their respective
houses.
C. A quorum of the oversight committee shall consist of at least seven members; provided, any action by the oversight committee shall require the vote of at least four members from each house of the Legislature. The agenda for each meeting shall be set by the co-chairs and shall be made available to the public, by posting on the Senate and House websites, at least forty-eight (48) hours prior to the time of the meeting. Meetings of the oversight committee shall be open to the public; provided, the committee may vote to convene in executive session for the sole purpose of discussing any matter specifically made confidential by law. Members of the oversight committee shall receive reimbursement for actual and necessary expenses incurred in connection with their duties as members in accordance with other provisions of law relating to travel reimbursement for members of the Legislature.

D. The members and co-chairs of the oversight committee shall be appointed no later than July 1, 2019, and the oversight committee shall hold its first meeting no later than August 1, 2019.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8014 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. Each agency or institution of the state shall, upon request, furnish and make available to the Legislative Office of Fiscal Transparency all records, documents, materials, personnel, information or other resources as the Office deems necessary to
conduct performance evaluations as required by this act. Any record, document, material or other information made confidential by law shall be provided to the Office, which shall also maintain such confidentiality. All records, documents, materials or other information of the Office shall be deemed to be a record of the Legislature.

B. Each state agency and other affected persons shall cooperate with the oversight committee and the Office in the providing of any information requested. The oversight committee shall have the power to conduct hearings, administer oaths, issue subpoenas and compel the attendance of witnesses and the production of information as provided in Section 773 of Title 74 of the Oklahoma Statutes.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8015 of Title 62, unless there is created a duplication in numbering, reads as follows:

The Legislative Office of Fiscal Transparency shall prepare and submit to the oversight committee a report of its findings for each performance evaluation conducted. Such reports shall be available to the public, other than with respect to any information or material made confidential by law. The oversight committee may make recommendations to the agency evaluated, or to the Legislature and the Governor, for further action as it deems necessary, and may direct the Office to monitor and report on implementation of such recommendations.
SECTION 6. 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.