

1 ENGROSSED HOUSE
2 BILL NO. 2484

By: McCall, Lawson, Hilbert and
Lepak of the House

3 and

4 Treat of the Senate

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8 An Act relating to public finance; creating the
9 Office of Government Accountability; specifying
10 purpose and duties; providing for payment of expenses
11 of Office; creating oversight committee; providing
12 for membership of committee; providing procedures for
13 conduct of performance evaluations; defining term;
14 requiring coordination with work of Agency
15 Performance and Accountability Commission; specifying
16 duty of state agencies and institutions; providing
17 for confidentiality of certain records; requiring
18 certain reports and recommendations; providing for
19 codification; and declaring an emergency.

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

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

24 A. There is hereby created within the Legislative Service
Bureau the Office of Government Accountability. 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.

1 B. The Office of Government Accountability shall consist of
2 fifteen (15) persons, each of whom shall be employed pursuant to the
3 mutual agreement of the Speaker of the Oklahoma House of
4 Representatives and the President Pro Tempore of the Oklahoma State
5 Senate. The positions for the Office of Government Accountability
6 shall be initially filled not later than ninety (90) days after the
7 effective date of this act.

8 C. The operations of the Office shall be overseen by the
9 committee created in Section 3 of this act.

10 D. All expenses of the Office shall be paid by the Legislative
11 Service Bureau, subject to the approval of the President Pro Tempore
12 of the Senate and the Speaker of the House of Representatives.
13 Employees of the Office shall be employed by the Legislative Service
14 Bureau.

15 E. The Office of Government Accountability shall create and
16 maintain a website to provide public access to the financial
17 information and other documentation gathered by the Office of
18 Government Accountability.

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

22 A. The Office of Government Accountability shall conduct
23 performance evaluations. The oversight committee created in Section
24 3 of this act shall periodically identify specific executive branch

1 agencies, or programs, activities or functions within executive
2 branch agencies, for which the Office shall conduct a performance
3 evaluation. As used in this act, "performance evaluation" means an
4 examination of a program, activity or function of an executive
5 branch agency, conducted in accordance with applicable government
6 auditing standards or auditing and evaluation standards of other
7 appropriate authoritative bodies. The term includes, but is not
8 limited to, an examination of issues related to:

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

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

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

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

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

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

22 7. Compliance with appropriate policies, rules or laws related
23 to the agency or program; and
24

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

3 B. The Office of Government Accountability shall:

4 1. Gather information regarding the proposed budgets of
5 executive branch agencies each fiscal year;

6 2. Analyze the information and evaluate the extent to which the
7 agency budget does or does not fulfill the agency's primary duties
8 and responsibilities under applicable provisions of federal, state
9 or other law;

10 3. Analyze and forecast all revenues available to the agency
11 from appropriations, fees, dedicated revenue or any other source;

12 4. Compare the agency budget information to the comparable
13 information contained in that agency's budget requests from prior
14 fiscal years; and

15 5. Conduct such investigations regarding the operations of the
16 agency as required in order to fulfill the duties imposed upon the
17 Office of Government Accountability by law.

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

1 D. The Office shall perform such other duties as may be
2 mutually assigned by agreement of both the Speaker of the Oklahoma
3 House of Representatives and the President Pro Tempore of the
4 Oklahoma State Senate.

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

8 There is hereby created within the Legislature a committee to
9 oversee the operations of the Office of Government Accountability.
10 The committee shall consist of eight (8) members of the Legislature,
11 as follows:

- 12 1. Four members of the House of Representatives appointed by
13 the Speaker of the Oklahoma House of Representatives; and
- 14 2. Four members of the Senate appointed by the President Pro
15 Tempore of the Oklahoma State Senate.

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

19 A. Each agency or institution of the state shall, upon request,
20 furnish and make available to the Office of Government
21 Accountability all records, documents, materials, personnel,
22 information or other resources as the Office deems necessary to
23 conduct performance evaluations as required by this act. Any
24 record, document, material or other information made confidential by

1 law shall be provided to the Office, which shall also maintain such
2 confidentiality. All records, documents, materials or other
3 information of the Office shall be deemed to be a record of the
4 Legislature.

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

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

14 The Office of Government Accountability shall prepare and submit
15 to the oversight committee a report of its findings for each
16 performance evaluation conducted. Such reports shall be available
17 to the public, other than with respect to any information or
18 material made confidential by law. The oversight committee may make
19 recommendations to the agency evaluated, or to the Legislature and
20 the Governor, for further action as it deems necessary, and may
21 direct the Office to monitor and report on implementation of such
22 recommendations.

23 SECTION 6. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

