

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1288

By: Brecheen

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5  
6 AS INTRODUCED

7 An Act relating to art in public places; amending 74  
8 O.S. 2011, Section 9030.5, as amended by Section 5,  
9 Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2015, Section  
10 9030.5), which relates to funding by state agencies;  
11 providing automatic moratorium on certain funding  
12 depending on certain certification of revenue;  
13 removing obsolete language; and declaring an  
14 emergency.

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

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 9030.5, as  
17 amended by Section 5, Chapter 196, O.S.L. 2015 (74 O.S. Supp. 2015,  
18 Section 9030.5), is amended to read as follows:

19 Section 9030.5. A. 1. Except as otherwise provided by  
20 subsection C of this section, all state agencies, including  
21 institutions within The Oklahoma State System of Higher Education,  
22 all state departments, boards, councils, and commissions shall  
23 allocate, as a nondeductible item out of any expenditures for  
24 capital projects including, but not limited to, bond issues for  
state construction excluding costs for bond issuance and related  
reserves, an amount of one and one-half percent (1 1/2%) of the

1 expenditure to the Oklahoma Arts Council for the purpose of funding  
2 the Oklahoma Art in Public Places Act, except as otherwise provided  
3 by subsection B of this section.

4       2. The maximum assessment for any project shall not exceed Five  
5 Hundred Thousand Dollars (\$500,000.00). This assessment shall not  
6 apply to any private donations for a capital project. This  
7 allocation shall be applicable to all state agency capital projects  
8 approved by the appointing authority after September 1, 2004. The  
9 works of art commissioned pursuant to the Oklahoma Art in Public  
10 Places Act may be placed on public lands, integral to or attached to  
11 a public building or structure, or detached within or outside a  
12 public building or structure.

13       B. 1. Of the assessment provided for in subsection A of this  
14 section, four-fifths (4/5) shall be placed in the Commissioning of  
15 Art in Public Places Revolving Fund, created in Section 9030.6 of  
16 this title, for the commission of any work of art for the Oklahoma  
17 Art in Public Places Act. Institutions within The Oklahoma State  
18 System of Higher Education shall remain in complete administrative  
19 control of their four-fifths (4/5) assessment pursuant to this  
20 subsection for the acquisition of art. The remaining one-fifth  
21 (1/5) of the assessment shall be reserved for the Art in Public  
22 Places Administrative and Maintenance Revolving Fund created by  
23 Section 9030.7 of this title.

1           2. Monies deposited in the Art in Public Places Administrative  
2 and Maintenance Revolving Fund for the purpose of this moratorium,  
3 shall be used for continued administration, educational costs, and  
4 maintenance.

5           C. The provisions of subsection A of this section shall not be  
6 applicable for ~~the fiscal years ending:~~

7           ~~1. June 30, 2012;~~

8           ~~2. June 30, 2013; and~~

9           ~~3. June 30, 2014~~ any fiscal year in which the revenue

10 certification approved by the State Board of Equalization at the  
11 February meeting of the board is less than the amount certified by  
12 the Board at the February meeting of the previous year.

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

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