

1 ENGROSSED SENATE
2 BILL NO. 1541

By: Griffin of the Senate

3 and

4 Enns of the House

5
6 [Office of Disability Concerns - certain powers,
7 duties, funds, administrative rules, obligations and
8 other functions - State Department of Rehabilitation
9 Services and the State Department of Health -
10 repealer - codification - ~~effective date -~~
11 ~~emergency~~]

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

12 SECTION 1. AMENDATORY 74 O.S. 2011, Section 9.22, is
13 amended to read as follows:

14 Section 9.22. ~~The Office of Disability Concerns~~ State
15 Department of Rehabilitation Services shall have the following
16 powers and duties:

17 1. To identify the needs of people with disabilities on a
18 continuing basis and to attempt to meet those needs;

19 2. To serve as a referral and information source for people
20 with disabilities seeking services and for agencies seeking
21 assistance in their provision of services;

22 3. To generate community awareness and support of programs for
23 people with disabilities;

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1 4. To advise and assist the Governor and the Legislature in
2 developing policies to meet the needs of people with disabilities;
3 and

4 5. To assist agencies in meeting the requirements of Public Law
5 93-112, and subsequent amendments thereto, as the same pertain to
6 people with disabilities.

7 SECTION 2. AMENDATORY 74 O.S. 2011, Section 9.24, is
8 amended to read as follows:

9 Section 9.24. ~~The Office of Disability Concerns~~ State
10 Department of Rehabilitation Services shall be responsible for the
11 following duties:

12 1. To carry out the responsibilities of the Governor's Advisory
13 Committee on Employment of People with Disabilities;

14 2. To provide referral assistance, continuing needs assessment
15 and to advise and assist private and public agencies in statewide
16 policy development concerning people with disabilities; and

17 3. To implement the provisions of Public Law 93-112, and
18 subsequent amendments thereto, as such pertain to people with
19 disabilities.

20 SECTION 3. AMENDATORY 74 O.S. 2011, Section 9.25, is
21 amended to read as follows:

22 Section 9.25. ~~The Office of Disability Concerns~~ State
23 Department of Rehabilitation Services shall be assisted by the
24 Governor's Advisory Committee on Employment of People with

1 Disabilities and the Governor's Advisory Committee to the ~~Office of~~
2 ~~Disability Concerns~~ Department.

3 SECTION 4. AMENDATORY 74 O.S. 2011, Section 9.26, is
4 amended to read as follows:

5 Section 9.26. The Governor's Advisory Committee to the ~~Office~~
6 ~~of Disability Concerns~~ State Department of Rehabilitation Services
7 shall be composed of forty (40) members who shall be appointed by
8 the Governor. Such members shall serve at the pleasure of the
9 Governor. Twenty of such members shall be people with disabilities
10 or the parents of people with disabilities. All members of the
11 Committee traveling on authorized state business may be reimbursed
12 for expenses incurred in such travel in accordance with the State
13 Travel Reimbursement Act, Section 500.1 et seq. of this title.

14 SECTION 5. AMENDATORY 74 O.S. 2011, Section 9.27, is
15 amended to read as follows:

16 Section 9.27. The ~~Office of Disability Concerns~~ Commission of
17 Rehabilitation Services is hereby authorized to make necessary rules
18 and regulations to carry out the provisions of this act.

19 SECTION 6. AMENDATORY 74 O.S. 2011, Section 9.27A, is
20 amended to read as follows:

21 Section 9.27A. The ~~office~~ State Department of Health is hereby
22 authorized to conduct the Client Assistance Program for the State of
23 Oklahoma under the terms of Section 112 of the Rehabilitation Act of
24 1973 as amended as long as federal funds are available. The ~~office~~

1 Department is authorized to pursue legal and administrative remedies
2 necessary to operate this program.

3 SECTION 7. AMENDATORY 74 O.S. 2011, Section 9.28, is
4 amended to read as follows:

5 Section 9.28. All the powers, duties, functions, records,
6 employees, property, matters pending and funds of the Governor's
7 Advisory Committee on Employment of People with Disabilities are
8 hereby transferred to the ~~Office of Disability Concerns~~ State
9 Department of Rehabilitation Services.

10 SECTION 8. AMENDATORY 74 O.S. 2011, Section 9.29, is
11 amended to read as follows:

12 Section 9.29. There is hereby created within the ~~Office of~~
13 ~~Disability Concerns~~ State Department of Rehabilitation Services a
14 division for "The Governor's Advisory Committee on Employment of
15 People with Disabilities".

16 SECTION 9. AMENDATORY 74 O.S. 2011, Section 9.34, is
17 amended to read as follows:

18 Section 9.34. The ~~Office of Disability Concerns~~ State
19 Department of Rehabilitation Services shall accept, hold in trust,
20 and authorize the use of any grant or devise of land, or any
21 donations or bequests of money or other personal property made to
22 the Office so long as the terms of the grant, donation, bequest or
23 will are carried out. The ~~Office~~ Department may invest and reinvest
24 any funds and money, lease, or sell any real or personal property,

1 and invest the proceeds for the purpose of promoting the well-being
2 of people with disabilities unless prohibited by the terms of the
3 grant, donation, bequest, gift, or will. If, due to circumstances,
4 the requests of the person or persons making the grant, donation,
5 bequest, gift, or will cannot be carried out, the ~~Office~~ Department
6 shall have the authority to use the remainder thereof for the
7 purposes of this act. Said funds shall be deposited to the
8 revolving fund to carry out the provisions of this act. Such gifts,
9 donations, bequests, or grants shall be exempt for tax purposes.
10 The ~~Office~~ Department shall report annually to the Governor all
11 monies and properties received and expended by virtue of this
12 section.

13 SECTION 10. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 166.13 of Title 74, unless there
15 is created a duplication in numbering, reads as follows:

16 A. On July 1, 2016, all powers, duties, employees, functions,
17 and responsibilities of the Office of Disability Concerns shall be
18 transferred to the State Department of Rehabilitation Services. The
19 transfer shall include all equipment, supplies, records, assets,
20 current and future liabilities, fund balances, encumbrances,
21 obligations, and indebtedness associated with the Office of
22 Disability Concerns.

23 B. Any monies accruing to or in the name of the Office of
24 Disability Concerns on and after the effective date of this act, or

1 any monies that accrue in any funds or accounts or are maintained
2 for the benefit of the Office on and after the effective date of
3 this act shall be transferred to the State Department of
4 Rehabilitation Services.

5 C. The State Department of Rehabilitation Services shall
6 succeed to any contractual rights and responsibilities incurred by
7 the Office of Disability Concerns.

8 D. The Director of the Office of Management and Enterprise
9 Services is hereby directed to coordinate the transfer of funds,
10 allotments, purchase orders, and outstanding financial obligations
11 or encumbrances as provided for in this section.

12 SECTION 11. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 166.14 of Title 74, unless there
14 is created a duplication in numbering, reads as follows:

15 Effective July 1, 2016, all administrative rules promulgated by
16 the Office of Disability Concerns shall be transferred to and become
17 a part of the administrative rules of the State Commission of
18 Rehabilitation Services. The Office of Administrative Rules in the
19 Secretary of State's office shall provide adequate notice in the
20 Oklahoma Register of the transfer of such rules, and shall place the
21 transferred rules under the Administrative Code section of the State
22 Commission of Rehabilitation Services. Such rules shall continue in
23 force and effect as rules of the office of the Commission from and
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1 after July 1, 2016, and any amendment, repeal or addition to the
2 transferred rules shall be under the jurisdiction of the Commission.

3 SECTION 12. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 166.15 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 The State Commission of Rehabilitation Services is hereby
7 authorized and directed to enter into agreements and to contract for
8 the provision of services and programs pursuant to the provisions of
9 P.L. 93-112. Any program providing services pursuant to a contract
10 or subcontract with the State Department of Rehabilitation Services
11 and receiving funds from the Department or any contractor with the
12 Department shall be subject to the provisions of the administrative
13 rules of the State Commission of Rehabilitation Services.

14 SECTION 13. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 166.16 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 The Commission on Rehabilitation Services shall promulgate rules
18 to implement the provisions of this act.

19 SECTION 14. REPEALER 74 O.S. 2011, Sections 9.21, 9.23
20 and 9.33, are hereby repealed.

21 ~~SECTION 15. This act shall become effective July 1, 2016.~~

22 ~~SECTION 16. It being immediately necessary for the preservation~~
23 ~~of the public peace, health and safety, an emergency is hereby~~

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1 ~~declared to exist, by reason whereof this act shall take effect and~~
2 ~~be in full force from and after its passage and approval.~~

3 Passed the Senate the 9th day of March, 2016.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,

8 2016.

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Presiding Officer of the House
of Representatives

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