

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 848 By: Paxton of the Senate
3 and
4 Caldwell (Trey) of the
5 House

6
7 [Oklahoma Broadband Expansion Act - Oklahoma
8 Broadband Office - requirements - assistance request
- extension -
9 emergency]

10

11

12

13 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
14 and insert:

15

16

17 "[Oklahoma Broadband Expansion Act - Oklahoma
18 Broadband Office - requirements for assistance
19 provided to the Office - fulfillment of assistance
request - extension - legal counsel -
20 emergency]

21

22

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

24

1 SECTION 1. AMENDATORY Section 5, Chapter 229, O.S.L.
2 2022 (74 O.S. Supp. 2022, Section 9204), is amended to read as
3 follows:

4 Section 9204. A. There is hereby created until June 30, 2028,
5 the Oklahoma Broadband Office, to serve as the state's sole
6 administrator of the functions, powers, and duties assigned to the
7 Office in this act or under law. Effective June 30, 2028, the
8 Office shall terminate and all personnel positions shall be
9 abolished. The Office shall utilize the year prior to the
10 termination date for the purpose of ceasing the Office's affairs.

11 B. The Office shall receive administrative assistance from the
12 Office of Management and Enterprise Services (OMES), which shall
13 provide, through existing OMES resources, administrative assistance
14 upon request in writing or electronic correspondence from the
15 Office's Executive Director, ~~within a reasonable time to allow the~~
16 ~~performance of the Office's duties or.~~ OMES shall provide
17 assistance in the manner requested within thirty (30) days of
18 determination by the agency that the request is able to be
19 fulfilled. If for any reason the request cannot be fulfilled within
20 thirty (30) days, the Office and OMES shall enter into a written
21 agreement expressing an agreed upon timeline for fulfilling the
22 needs of the Office. In the event that the request cannot be
23 fulfilled, OMES shall respond in writing within ten (10) days of the
24 request providing ~~reasons why the request cannot be fulfilled~~ the

1 reasoning for denial. If the request cannot be fulfilled utilizing
2 existing resources, OMES may charge the Office for the actual cost
3 to fulfill the request.

4 C. The Office shall be governed by the Broadband Governing
5 Board, created pursuant to Section ~~3~~ 9209 of this ~~act~~ title.

6 D. The Office shall be advised by the Broadband Expansion
7 Council, created pursuant to Section ~~4~~ 139.202 of ~~this act~~ Title 11
8 of the Oklahoma Statutes.

9 E. The Office shall have an Executive Director who shall
10 oversee the operations of the Office including, but not limited to:

11 1. Overseeing the creation, maintenance, and completion of the
12 Statewide Broadband Plan;

13 2. Communicating the state's progress in achieving the goals
14 and implementation of the Statewide Broadband Plan;

15 3. The creation, housing, and updating of a statewide broadband
16 services map;

17 4. Overseeing of grant applications and awards for connectivity
18 and affordability projects;

19 5. Making recommendations to the Board regarding procedural and
20 administrative rules for the Office; and

21 6. Employment and management of Office staff subject to the
22 limitations and requirements of this act and subject to the
23 limitations and requirements of the Broadband Governing Board.
24

1 F. The Executive Director shall regularly report to the Council
2 and the Board and shall submit an annual report to the Office of the
3 Speaker of the Oklahoma House of Representatives and the Office of
4 the President Pro Tempore of the Oklahoma State Senate.

5 G. The Office may hire legal counsel as it is deemed necessary
6 by said hiring entity. The Office shall be subject to the
7 provisions of Section 20i of this title.

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

12 Passed the House of Representatives the 26th day of April, 2023.

13

14

15

Presiding Officer of the House of
Representatives

16

17

Passed the Senate the ____ day of _____, 2023.

18

19

20

Presiding Officer of the Senate

21

22

23

24

1 ENGROSSED SENATE
2 BILL NO. 848

By: Paxton of the Senate

3 and

4 Caldwell (Trey) of the
5 House

6
7 [Oklahoma Broadband Expansion Act - Oklahoma
8 Broadband Office - requirements - assistance request
9 - extension -
10 emergency]

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

12 SECTION 3. AMENDATORY Section 5, Chapter 229, O.S.L.
13 2022 (74 O.S. Supp. 2022, Section 9204), is amended to read as
14 follows:

15 Section 9204. A. There is hereby created until June 30, 2028,
16 the Oklahoma Broadband Office, to serve as the state's sole
17 administrator of the functions, powers, and duties assigned to the
18 Office in this act or under law. Effective June 30, 2028, the
19 Office shall terminate and all personnel positions shall be
20 abolished. The Office shall utilize the year prior to the
21 termination date for the purpose of ceasing the Office's affairs.

22 B. The Office shall receive administrative assistance from the
23 Office of Management and Enterprise Services (OMES), which shall
24 provide, through existing OMES resources, administrative assistance

1 upon request in writing or electronic correspondence from the
2 Office's Executive Director, ~~within a reasonable time to allow the~~
3 ~~performance of the Office's duties or.~~ OMES shall provide
4 assistance in the manner requested within thirty (30) days of
5 determination by the Agency that the request is able to be
6 fulfilled. If for any reason the request cannot be fulfilled within
7 thirty (30) days, the Office and OMES shall enter into a written
8 agreement expressing an agreed upon timeline for fulfilling the
9 needs of the Office. In the event that the request cannot be
10 fulfilled, OMES shall respond in writing within ten (10) days of the
11 request providing ~~reasons why the request cannot be fulfilled the~~
12 reasoning for denial. If the request cannot be fulfilled utilizing
13 existing resources, OMES may charge the Office for the actual cost
14 to fulfill the request.

15 C. The Office shall be governed by the Broadband Governing
16 Board, created pursuant to Section 3 of this act.

17 D. The Office shall be advised by the Broadband Expansion
18 Council, created pursuant to Section 4 of this act.

19 E. The Office shall have an Executive Director who shall
20 oversee the operations of the Office including, but not limited to:

21 1. Overseeing the creation, maintenance, and completion of the
22 Statewide Broadband Plan;

23 2. Communicating the state's progress in achieving the goals
24 and implementation of the Statewide Broadband Plan;

1 3. The creation, housing, and updating of a statewide broadband
2 services map;

3 4. Overseeing of grant applications and awards for connectivity
4 and affordability projects;

5 5. Making recommendations to the Board regarding procedural and
6 administrative rules for the Office; and

7 6. Employment and management of Office staff subject to the
8 limitations and requirements of this act and subject to the
9 limitations and requirements of the Broadband Governing Board.

10 F. The Executive Director shall regularly report to the Council
11 and the Board and shall submit an annual report to the Office of the
12 Speaker of the Oklahoma House of Representatives and the Office of
13 the President Pro Tempore of the Oklahoma State Senate.

14 SECTION 4. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

1 Passed the Senate the 21st day of March, 2023.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

7
8 _____
9 Presiding Officer of the House
10 of Representatives