

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 849

By: Paxton of the Senate

and

6 Caldwell (Trey) of the  
7 House

8  
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Broadband Expansion  
11 Act; amending Section 5, Chapter 229, O.S.L. 2022 (74  
12 O.S. Supp. 2022, Section 9204), which relates to the  
13 Oklahoma Broadband Office; modifying requirements for  
14 assistance provided to the Office by certain agency;  
15 requiring fulfillment of certain assistance request  
16 by certain date; providing for extension; providing  
17 for hiring of certain personnel; updating statutory  
18 references; updating statutory language; and  
19 declaring an emergency.

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

22 SECTION 1. AMENDATORY Section 5, Chapter 229, O.S.L.  
23 2022 (74 O.S. Supp. 2022, Section 9204), is amended to read as  
24 follows:

25 Section 9204. A. There is hereby created until June 30, 2028,  
26 the Oklahoma Broadband Office, to serve as the state's sole  
27 administrator of the functions, powers, and duties assigned to the  
28 Office in ~~this act~~ the Oklahoma Broadband Expansion Act or under

1 law. Effective June 30, 2028, the Office shall terminate and all  
2 personnel positions shall be abolished. The Office shall utilize  
3 the year prior to the termination date for the purpose of ceasing  
4 the Office's affairs.

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

22 C. The Office shall be governed by the Broadband Governing  
23 Board, created pursuant to Section ~~3~~ 9202 of this act title.

24

1 D. The Office shall be advised by the Broadband Expansion  
2 Council, created pursuant to Section 4 9203 of this ~~act~~ title.

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

5 1. Overseeing the creation, maintenance, and completion of the  
6 Statewide Broadband Plan;

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

9 3. The creation, housing, and updating of a statewide broadband  
10 services map;

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

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

15 6. Employment and management of Office staff subject to the  
16 limitations and requirements of ~~this act~~ the Oklahoma Broadband  
17 Expansion Act and subject to the limitations and requirements of the  
18 Broadband Governing Board.

19 F. The Executive Director shall regularly report to the Council  
20 and the Board and shall submit an annual report to the Office of the  
21 Speaker of the ~~Oklahoma~~ House of Representatives and the Office of  
22 the President Pro Tempore of the ~~Oklahoma State~~ Senate.

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

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

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