

## Key Evaluation Objectives:

- » **Compile a list of all reports that are statutorily required to be submitted to the Legislature.**
- » **Assess the level of agency compliance with mandated reports.**
- » **Determine whether the mandated reports are serving their intended purpose.**
- » **Identify opportunities to improve efficiency and effectiveness of reporting.**

## Executive Summary

Reports can be a useful accountability tool to state legislators, providing awareness of the activities and financial status of executive branch agencies and their programs or initiatives. Additionally, reports can aid in the assessment of the performance and effectiveness of government activities, monitor implementation of new programs or the progress of existing programs, and ensure compliance with regulations. Often, reporting requirements are put in place with the creation of a new program or a change in law. Other times reporting requirements are the result of dedicated funding or legislative priorities.

Over the span of decades, Oklahoma state government has amassed more than 500 individual reports that are required to be submitted to the Legislature by executive agencies. With this evaluation, LOFT sought to compile a list of all reports statutorily required to be provided to the Legislature from governmental entities and examine opportunities to enhance accountability and transparency of reporting. This evaluation resulted in four key findings:

### **Finding 1: There are More than 500 Reports Required of Agencies, 57 of Which are Obsolete.**

LOFT conducted a statutory review of language requiring a report to be submitted to the Legislature. The criteria for inclusion were that a report must be an informational product submitted in response to a specific statutory requirement, and that the submission is required from a State agency, board, task force, or commission. Additionally, reports were only counted once, regardless of frequency. LOFT also excluded reporting requirements that are not within statute, such as those required by Executive Order.

Of the 510 reports LOFT identified, 57 were determined to be obsolete, leaving 453 active reports. Obsolete reports include those for which the reporting requirement is no longer in effect. For example, a report would be considered obsolete if the due date of the report was prior to January 1, 2025. Even though the requirement for a report is no longer effective, the mandate for these 57 reports continues to exist in State law. LOFT also found that 161 of the reports relate to an agency program enacted more than 20 years ago. That a report topic is an agency program that has existed for more than 20 years does not necessarily mean that the report has limited value, but this class of reports may be worth legislative review to determine relevancy today.

The recipients of the reports are usually the Speaker of the House and the President Pro Tempore of the Senate, but other recipients include the chairs of legislative committees and legislative staff. Some reports are due to “the Legislature” without further specificity, and finally, a few reports are deliverable to LOFT or the Legislative Service Bureau. Some of these reports are required to be delivered to multiple recipients.

Reports are due at different frequencies; 294 reports are annual, 26 are quarterly, 12 are monthly, and 79 are occasional – that is reports, triggered by some occurrence rather than an elapsed time period.

Reports may be the only place the requested information is available: LOFT’s research revealed that 84.5 percent of all report topics were not able to be found online. Reports are frequently related to either incoming revenue or the expenditure of State funds. Additionally, 47.2 percent of all agency reports

centered around a specific agency program or division. While there are 22 reports required of every agency in the State, some agencies are responsible for more reports than others. Below is a list of the agencies with the greatest reporting required.

### Agencies with the Highest Number of Required Reports

Office of Management and Enterprise Services	36 Reports
Department of Commerce	25 Reports
Department of Health	23 Reports
All Agencies	22 Reports
Dept of Human Services	22 Reports
Tax Commission	17 Reports
Dept. of Education	16 Reports
Regents for Higher Ed	15 Reports
Health Care Authority	14 Reports
DEQ	11 Reports

#### Finding 2: Lack of a Centralized Reporting System Limits Ability to Determine Agency Compliance

As LOFT sought to determine the level of compliance by agencies in submitting statutorily required reports to the Legislature, LOFT found examples where agencies failed to submit the report or independently decided the report requirement was not applicable. LOFT also found agencies that were unaware of reporting requirements. While enough information was obtained to determine inconsistent compliance, LOFT was unable to quantify the degree of compliance or non-compliance across State agencies. The greatest factor limiting assessment is the lack of an effective centralized filing system for reports submitted to the Legislature.

Although statute calls for the use of a central State Filing System for reports, it is rarely used except to receive proposed administrative rules. According to OMES – which houses the system on its website – just nine agencies used the system to submit a total of 28 reports to the Legislature between April 1, 2024 and March 21, 2025. Rather than using the State Filing System, LOFT found that agencies are submitting their reports to the individual office holders or to a legislative staff member, most commonly by email. Additionally, the system only receives reports; there is not an index of reports available to search.

Agencies may be unaware of their reporting requirements, especially those applying to all agencies. Of the 64 agencies that responded to a survey by LOFT, five percent were unsure if agency was required to submit a report. Further, a follow up question asking agencies to list all reports required identified instances where the list of reports provided by the agency does not reflect all reports required of that agency. The most common omission was with reporting requirements that do not mention agencies by name, but instead describes a requirement applying to “all agencies.” For example, LOFT found two agencies that did not include the reporting requirement under the Travel Reimbursement Act, which most agencies are subject to. LOFT found agencies generally willing to provide required reports if they are aware of the requirement, but many agencies lack awareness of reporting requirements that either pertain to all agencies or a group of agencies, based on their activities.

LOFT conducted a case study to assess agency compliance with a reporting requirement prescribed to all agencies; that is, no agencies are identified by name. This involved a second survey of State agencies. Of the 74 agencies surveyed, 34 said the requirements did not apply to their agency. 29 agencies said the requirements do apply, and five agencies were not sure or did not answer the question. Of the 29 agencies that identified being subject to the reporting requirement, just three agencies affirmed providing a report to the Legislature within the last 12 months. Fifteen agencies said they did not provide a report, and eleven agencies didn't know if they provided one or not.

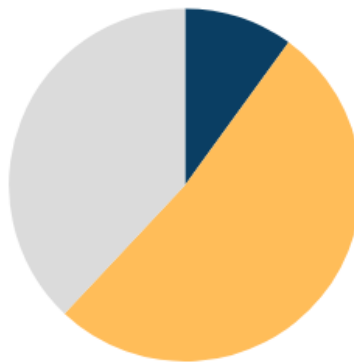
## AGENCIES COMPLIANT WITH REPORTING REQUIREMENT UNDER THE OKLAHOMA INDIGENT HEALTH CARE ACT

# 29

Agencies reported administering a program of public benefits, and therefore subject to reporting requirements

# 3

Of these agencies submitted the required report to the Legislature within the past 12 months.



### Responses

- Agency submitted required report within past 12 months
- Agency did not submit report
- Unsure if report was submitted

LOFT's review of reports required to be delivered to LSB or LOFT also found lack of compliance with statutory requirements, even after receiving emails from the office about the reports due. Under current law, there is no one authority empowered to ensure that agencies are complying with reporting requirements. None of the statutes requiring reports lists a specific consequence for an agency failing to comply with the requirement.

### Finding 3: Inconsistent Compliance Inhibits Agency Accountability and Limits Legislative Awareness

LOFT identified five key purposes intended from the statutes requiring reports to the Legislature:

**Agency Accountability:** includes ensuring that performance metrics are met, that expenditures are made in line with statutory intent, or that agencies are complying with a specific mandate.

**Legislative Awareness:** keeping legislators informed about conditions or trends in the State that an agency monitors but may not directly control.

**Budgeting:** most reports involve at least some aspect that could inform budgeting decisions, including plans for future spending or expected revenues.

**Evaluation:** encompasses reports designed to measure an agency's progress on addressing specific needs, program effectiveness, or improving an agency's performance.

**Planning:** reports intended to help the Legislature anticipate future needs of the State.

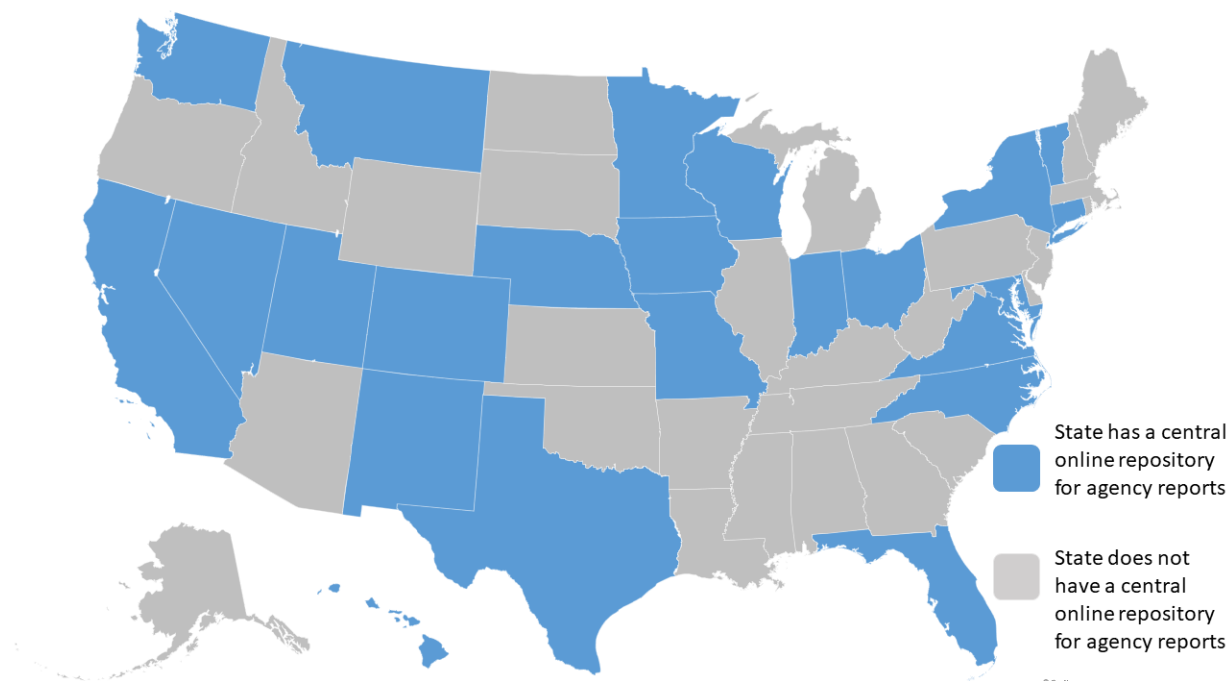
In reviewing reports under these categories, LOFT identified examples where agencies inconsistently provided the required reports, were late in providing the reports, or failed to submit the report. In a series of case studies, LOFT examined how state agencies are fulfilling reporting requirements and determined that:

- The usefulness of mandated reports should be evaluated periodically for duplication and necessity, including creating sunset provisions for some reports.

- Agencies should follow the requirements of statutes until specifically directed otherwise; some agencies have independently determined that a report is not needed.
- Some report requirements are easily overlooked by agencies; it may take an independent oversight entity to direct compliance.

#### **Finding 4: A Centralized Online System Would Create Accountability, Improve Usability of Reports, and Simplify Agency Compliance**

The way Oklahoma manages statutory reports may be limiting their usefulness. In examining other states' practices, LOFT identified opportunities to improve the accessibility and usability of the information provided by State agencies. LOFT's review found 23 states have an official webpage dedicated to tracking and archiving the reports required to be submitted to the state's Legislature. Fifteen of these states house their online repository within the Legislative Branch. Florida and Missouri house their online repositories in the Secretary of State's office. New York, New Mexico, and Utah maintain online libraries of mandated reports, but access is granted only to legislators and staff.



LOFT observed several examples of best practices that may be worth emulating. For example, **Texas** continually reevaluates the need for each report, requiring its Library and Archive Commission to propose reports for elimination or reduction in frequency.

**Florida's** report database prioritizes transparency by allowing the public to sign up for notification when a new report is received. It also allows reports to be filtered by agency, report name, recipient, and submission date.

**Colorado's** report database provides a summary of report history and status, with reports searchable by policy area and department. Each filter result includes the statutory citation, a description of the report, submission frequency, recipient, and links to previous iterations. **Utah's** report database promotes accountability by highlighting agency compliance in submitting reports by tracking both submitted and overdue reports. Reports can be filtered by report title, agency, recipient, and subject.

Responses to LOFT's surveys reflect that agencies are willing to comply with reporting requirements but would benefit from a simpler and more uniform submission process. Overwhelmingly, agencies requested a central place to submit reports once and have it distributed to the proper recipients. Such a repository would also aid policymakers and their staff in obtaining information needed for decision-making.

## Summary of Policy Considerations

The Legislature may consider the following policy changes:

- Create a centralized filing system for reports statutorily required to be provided by agencies to the Legislature, to include the following functionality:
  - An index of all statutorily required reports, sortable by agency name, policy area, title of law, and other information.
  - The dates of the last submitted report and the due date of the next report.
  - Notification to the statutorily designated report recipients when a report is submitted, therefore eliminating the need for agencies to separately provide copies to each recipient and the recipient to maintain records of the reports.
  - Confirmation of submission to the agency.
  - A dashboard reflecting whether a report has been submitted or is overdue.
  - If a report is required due to an event or agency action, provide a list of questions from which the agency can determine if they are required to submit a report.
- Designate an agency or office of the Legislature to provide oversight of reports to ensure compliance by agencies.
- Direct agencies through statute that if the content requested is available elsewhere, such as through another agency's report or within the agency's annual report, that the agency submittal include the relevant sections of the previously reported information and not just a reference to the existing report or attachment of another report.
- Create a process to periodically review the continued need for individual reports, whether this task is assigned to an oversight entity or feedback is solicited from agencies.
- Establish sunset dates for reports created to document progress of a new program.
- Direct the review of statutorily ambiguous reporting requirements to either clarify the requested information or to clarify the recipients of such information. For example, replacing references to "the Legislature" with specific office holders.
- For any reports whose submission is contingent upon a federal definition, replace the federal term with a list of agencies the Legislature wants to receive information from.
- Require the agency or office responsible for tracking agency compliance with reporting to provide compliance information to the chairs of the respective committees with oversight of those agencies.
- Clarify legislative intent that agencies are to follow the requirements of statutes until specifically directed otherwise, eliminating agencies independently deciding a report is no longer required. This would include an agency submitting a report describing the conditions for why the agency does not have information to provide.
- When a report requirement is statutorily created, also assign an entity responsible for informing an agency of the report requirement.