

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 4210

By: Boatman, **Pae**, and **Bush** of  
the House

and

**Weaver** of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to the Attorney General; amending 74  
12                   O.S. 2021, Section 18b, which relates to duties of  
13                   the Attorney General; requiring Attorney General to  
14                   maintain data relating to human trafficking and to  
15                   assist certain entities with certain tasks;  
16                   establishing the Human Trafficking Response Unit;  
17                   stating duties of the Human Trafficking Response  
18                   Unit; providing for codification; providing an  
19                   effective date; and declaring an emergency.

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

23                   SECTION 1.           AMENDATORY           74 O.S. 2021, Section 18b, is  
24                   amended to read as follows:

                  Section 18b. A. The duties of the Attorney General as the  
chief law officer of the state shall be:

1 1. To appear for the state and prosecute and defend all actions  
2 and proceedings, civil or criminal, in the Supreme Court and Court  
3 of Criminal Appeals in which the state is interested as a party;

4 2. To appear for the state and prosecute and defend all actions  
5 and proceedings in any of the federal courts in which the state is  
6 interested as a party;

7 3. To initiate or appear in any action in which the interests  
8 of the state or the people of the state are at issue, or to appear  
9 at the request of the Governor, the Legislature, or either branch  
10 thereof, and prosecute and defend in any court or before any  
11 commission, board or officers any cause or proceeding, civil or  
12 criminal, in which the state may be a party or interested; and when  
13 so appearing in any such cause or proceeding, the Attorney General  
14 may, if the Attorney General deems it advisable and to the best  
15 interest of the state, take and assume control of the prosecution or  
16 defense of the state's interest therein;

17 4. To consult with and advise district attorneys, when  
18 requested by them, in all matters pertaining to the duties of their  
19 offices, when the district attorneys shall furnish the Attorney  
20 General with a written opinion supported by citation of authorities  
21 upon the matter submitted;

22 5. To give an opinion in writing upon all questions of law  
23 submitted to the Attorney General by the Legislature or either  
24 branch thereof, or by any state officer, board, commission or

1 department, provided, that the Attorney General shall not furnish  
2 opinions to any but district attorneys, the Legislature or either  
3 branch thereof, or any other state official, board, commission or  
4 department, and to them only upon matters in which they are  
5 officially interested;

6 6. At the request of the Governor, State Auditor and Inspector,  
7 State Treasurer, or either branch of the Legislature, to prosecute  
8 any official bond or any contract in which the state is interested,  
9 upon a breach thereof, and to prosecute or defend for the state all  
10 actions, civil or criminal, relating to any matter connected with  
11 either of their Departments;

12 7. Whenever requested by any state officer, board or  
13 commission, to prepare proper drafts for contracts, forms and other  
14 writing which may be wanted for the use of the state;

15 8. To prepare drafts of bills and resolutions for individual  
16 members of the Legislature upon their written request stating the  
17 gist of the bill or resolution desired;

18 9. To enforce the proper application of monies appropriated by  
19 the Legislature and to prosecute breaches of trust in the  
20 administration of such funds;

21 10. To institute actions to recover state monies illegally  
22 expended, to recover state property and to prevent the illegal use  
23 of any state property, upon the request of the Governor or the  
24 Legislature;

1           11. To pay into the State Treasury, immediately upon its  
2 receipt, all monies received by the Attorney General belonging to  
3 the state;

4           12. To settle, compromise and dispose of an action in which the  
5 Attorney General represents the interests of the state, so long as  
6 the consideration negotiated for such settlement, compromise or  
7 disposition is payable to the state or one of its agencies which is  
8 a named party of the action and any monies, any property or other  
9 item of value is paid first to the State Treasury;

10          13. To keep and file copies of all opinions, contracts, forms  
11 and letters of the office, and to keep an index of all opinions,  
12 contracts and forms according to subject and section of the law  
13 construed or applied;

14          14. To keep a register or docket of all actions, demands and  
15 investigations prosecuted, defended or conducted by the Attorney  
16 General in behalf of the state. The register or docket shall give  
17 the style of the case or investigation, where pending, court number,  
18 office number, the gist of the matter, result and the names of the  
19 assistants who handled the matter;

20          15. To keep a complete office file of all cases and  
21 investigations handled by the Attorney General on behalf of the  
22 state;

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1 16. To report to the Legislature or either branch thereof  
2 whenever requested upon any business relating to the duties of the  
3 Attorney General's office;

4 17. To institute civil actions against members of any state  
5 board or commission for failure of such members to perform their  
6 duties as prescribed by the statutes and the Constitution and to  
7 prosecute members of any state board or commission for violation of  
8 the criminal laws of this state where such violations have occurred  
9 in connection with the performance of such members' official duties;

10 18. To respond to any request for an opinion of the Attorney  
11 General's office, submitted by a member of the Legislature,  
12 regardless of subject matter, by written opinion determinative of  
13 the law regarding such subject matter;

14 19. To convene multicounty grand juries in such manner and for  
15 such purposes as provided by law; provided, such grand juries are  
16 composed of citizens from each of the counties on a pro rata basis  
17 by county;

18 20. To investigate any report by the State Auditor and  
19 Inspector filed with the Attorney General pursuant to Section 223 of  
20 this title and prosecute all actions, civil or criminal, relating to  
21 such reports or any irregularities or derelictions in the management  
22 of public funds or property which are violations of the laws of this  
23 state;

1 21. To represent and protect the collective interests of all  
2 utility consumers of this state in rate-related proceedings before  
3 the Corporation Commission or in any other state or federal judicial  
4 or administrative proceeding;

5 22. To represent and protect the collective interests of  
6 insurance consumers of this state in rate-related proceedings before  
7 the Insurance Commissioner or in any other state or federal judicial  
8 or administrative proceeding;

9 23. To investigate and prosecute any criminal action relating  
10 to insurance fraud, if in the opinion of the Attorney General a  
11 criminal prosecution is warranted, or to refer such matters to the  
12 appropriate district attorney; ~~and~~

13 24. To monitor and evaluate any action by the federal  
14 government including, but not limited to, executive orders by the  
15 President of the United States, rules or regulations promulgated by  
16 an agency of the federal government or acts of Congress to determine  
17 if such actions are in violation of the Tenth Amendment to the  
18 Constitution of the United States; and

19 25. To maintain data related to human trafficking and to assist  
20 law enforcement, social service agencies, and victim services  
21 programs in identifying and supporting victims of human trafficking.

22 B. Nothing in this section shall be construed as requiring the  
23 Attorney General to appear and defend or prosecute in any court any  
24 cause or proceeding for or on behalf of the Oklahoma Tax Commission,

1 the Board of Managers of the State Insurance Fund, or the  
2 Commissioners of the Land Office.

3 C. In all appeals from the Corporation Commission to the  
4 Supreme Court of Oklahoma in which the state is a party, the  
5 Attorney General shall have the right to designate counsel of the  
6 Corporation Commission as the Attorney General's legally appointed  
7 representative in such appeals, and it shall be the duty of the  
8 Corporation Commission counsel to act when so designated and to  
9 consult and advise with the Attorney General regarding such appeals  
10 prior to taking action therein.

11 SECTION 2. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 18r of Title 74, unless there is  
13 created a duplication in numbering, reads as follows:

14 There is hereby created within the Office of the Attorney  
15 General the Human Trafficking Response Unit, which shall:

16 1. Maintain data in a central location on human trafficking  
17 that shall be shared with law enforcement, criminal justice  
18 entities, social service agencies, and victim services programs and  
19 document information including, but not limited to, offenders,  
20 locations, victims, types of trafficking, and trafficking  
21 techniques. Provided, however, that any personal identifying  
22 information shall be de-identified using tokens or a similar method  
23 prior to the sharing of data in order to protect individuals'  
24 privacy rights;

1           2. Develop training programs that address prevention efforts  
2 and best practices on identifying and assisting victims of human  
3 trafficking and support agencies in identifying at-risk environments  
4 for human trafficking;

5           3. Review current state agency policies to ensure they include  
6 best practices to identify human trafficking victims and encourage  
7 reporting;

8           4. Create an incentive program to encourage state agencies to  
9 have personnel attend training programs and review policies;

10          5. Appropriate targeted funding for victim services programs;  
11 and

12          6. Publish public service announcements on various media  
13 platforms to educate the public about the dangers of human  
14 trafficking.

15          SECTION 3. This act shall become effective July 1, 2022.

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

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21          COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated  
22 03/02/2022 - DO PASS, As Amended and Coauthored.

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