

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1664

By: West (Kevin)

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6 AS INTRODUCED

7 An Act relating to public finance; providing for
8 suspension of certain revenues based upon certain
9 reduction in law enforcement funding by cities or
10 towns; prescribing notice procedures; requiring
11 reports of modifications to law enforcement budgets;
12 providing exceptions for certain municipalities based
13 on fiscal conditions; prescribing procedures for
14 appeals; prescribing procedures for payment of
15 certain law enforcement expenditures to counties;
16 providing for codification; providing an effective
17 date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 8101 of Title 62, unless there
is created a duplication in numbering, reads as follows:

A. Except as otherwise provided by this section, if any city or
town reduces the budget of its law enforcement functions by five
percent (5%) or more from the immediately preceding fiscal year, no
state agency, board, commission, department, instrumentality,
statewide beneficiary public trust or any other entity created or
authorized to be created pursuant to state law within the executive

1 branch of state government shall provide any grant or similar funds
2 to such city or town for the fiscal year during which such budget
3 reduction is being implemented.

4 B. A city or town that reduces its law enforcement budget by
5 five percent (5%) or more as described by subsection A of this
6 section shall make a report to the Governor's office not later than
7 fifteen (15) days after the final vote which results in the budget
8 reduction regarding the level of law enforcement funding. The
9 report shall contain a specific dollar amount for law enforcement
10 functions for the fiscal year immediately prior to the fiscal year
11 during which the law enforcement budget reduction is to be
12 implemented and the level of funding for law enforcement in the
13 fiscal year during which the reduction in law enforcement funding is
14 to occur.

15 C. The Governor shall distribute the reported law enforcement
16 budget reduction information to the appropriate cabinet secretary
17 for the agency, board, commission, department, instrumentality or
18 other state governmental entity which provides or controls the
19 funding for any applicable grant program that would otherwise result
20 in a transfer of funds to such city or town and the grant shall be
21 suspended until such time as the city or town restores the funding
22 level for law enforcement to the prior fiscal year level immediately
23 preceding the fiscal year during which the budget reduction is to be
24 implemented.

1 D. A city or town shall make a report of any modification in
2 the law enforcement budget which occurs subsequent to the report
3 required by subsection B of this section to the Governor not later
4 than fifteen (15) days after the final vote occurs which modifies
5 the law enforcement funding and the Governor shall communicate the
6 revised information to the appropriate cabinet secretary in order
7 that the grant program may be restored according to the terms
8 applicable to such grant program.

9 E. The provisions of this section for suspension of grant
10 funding shall not be applicable with a respect to a city or town
11 that can demonstrate either a five percent (5%) or greater reduction
12 in revenues available to the city or town which can be used for law
13 enforcement expenditures or which can demonstrate a reduction in the
14 budget for its law enforcement programs was required for other
15 legitimate reasons.

16 F. If an agency, board, commission, department, instrumentality
17 or other state governmental entity makes a final determination that
18 a grant program will be suspended notwithstanding a demonstration by
19 a city or town pursuant to the provisions of subsection E of this
20 section, such determination shall constitute a final order within
21 the meaning of Section 312 of Title 75 of the Oklahoma Statutes and
22 the order may be appealed in the manner prescribed by law for other
23 final orders pursuant to the Administrative Procedures Act.

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1 G. If a city or town reduces its law enforcement budget as
2 described by subsection A of this section and as a result of the
3 reduction a county is required to expend additional funds in order
4 to provide law enforcement services within the county, the county
5 may require the city or town to make payment to the county for such
6 expenditures. The county shall transmit the claim for payment along
7 with documentation regarding the additional expenditures to the
8 clerk of the city or town and the claim for payment may include a
9 period of not to exceed twelve (12) months of expenditures.

10 SECTION 2. This act shall become effective July 1, 2021.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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