

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 40x

6 By: Thompson (Roger) and Hall
7 of the Senate

8 and

9 Wallace and Martinez of the
10 House

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Department of Human Services;
13 making appropriations; identifying source;
14 establishing amounts; providing purposes; requiring
15 and limiting the utilization of funds; creating
16 certain special accounts; limiting duration of
17 accounts; requiring certain determinations; providing
18 and limiting the nature of accounts and the funds
19 within the accounts; authorizing agency to submit
20 request for certain deposits or transfers; requiring
21 certain compliance and verifications; authorizing
22 certain memorandums of understanding; limiting scope;
23 prohibiting certain memoranda terms; authorizing and
24 limiting the promulgation of rules and utilization of
procedures; authorizing and limiting the retention of
monies for administration costs; requiring certain
reports and submissions to certain entities;
requiring appearance before certain joint committee;
limiting duration of certain requirements; providing
determination process; establishing requirements; and
declaring an emergency.

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

1 SECTION 1. There is hereby appropriated to the Department of
2 Human Services from any monies not otherwise appropriated from the
3 Statewide Recovery Fund of the State Treasury created in Enrolled
4 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
5 Legislature, the sum of One Million Dollars (\$1,000,000.00) or so
6 much thereof as may be necessary to prepare more young adults with
7 intellectual and developmental disabilities or autism to live and
8 work independently. Such funds shall be utilized in a manner
9 consistent with the recommendations adopted by the Joint Committee
10 on Pandemic Relief Funding on May 19, 2023.

11 SECTION 2. There is hereby appropriated to the Department of
12 Human Services from any monies not otherwise appropriated from the
13 Statewide Recovery Fund of the State Treasury created in Enrolled
14 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
15 Legislature, the sum of Ten Million Three Hundred Nine Thousand Nine
16 Hundred Eleven Dollars (\$10,309,911.00) or so much thereof as may be
17 necessary to enhance and increase capacity for programs assisting in
18 stabilizing justice involved women, their children, and caregivers
19 in the Tulsa area and into surrounding rural areas of Oklahoma.
20 Such funds shall be utilized in a manner consistent with the
21 recommendations adopted by the Joint Committee on Pandemic Relief
22 Funding on May 19, 2023.

23 SECTION 3. There is hereby appropriated to the Department of
24 Human Services from any monies not otherwise appropriated from the

1 Statewide Recovery Fund of the State Treasury created in Enrolled
2 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
3 Legislature, the sum of Three Million Eight Hundred Fourteen
4 Thousand Nine Hundred Fifty Dollars (\$3,814,950.00) or so much
5 thereof as may be necessary to support and expand proven-effective
6 programming for justice involved women in the Oklahoma City area and
7 into rural areas of Oklahoma. Such funds shall be utilized in a
8 manner consistent with the recommendations adopted by the Joint
9 Committee on Pandemic Relief Funding on May 19, 2023.

10 SECTION 4. There is hereby appropriated to the Department of
11 Human Services from any monies not otherwise appropriated from the
12 Statewide Recovery Fund of the State Treasury created in Enrolled
13 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
14 Legislature, the sum of Two Million Five Hundred Thousand Dollars
15 (\$2,500,000.00) or so much thereof as may be necessary to allow more
16 opportunities for working families with children, with and without
17 special needs, to obtain high-quality childcare. Such funds shall
18 be utilized in a manner consistent with the recommendations adopted
19 by the Joint Committee on Pandemic Relief Funding on May 19, 2023.

20 SECTION 5. A. There is hereby created in the State Treasury a
21 Statewide Recovery Special Account for each appropriation section in
22 this act. The duration of such accounts shall continue for the
23 period of time that monies related to the American Rescue Plan Act
24 of 2021 are being budgeted, expended, or managed in the state. The

1 ending of such period shall be determined by the State Treasurer,
2 and shall result in the closing of such accounts as a matter of law.
3 Such accounts shall be continuing accounts as otherwise provided in
4 this section, not subject to fiscal year limitations, and shall
5 exclusively consist of monies related to the relevant appropriations
6 made in this act and as otherwise directed by law. All monies
7 deposited to the credit of such accounts are hereby appropriated and
8 may be budgeted and expended by the Department of Human Services in
9 accordance with the provisions of this act. Expenditures from such
10 accounts shall be made upon warrants issued by the State Treasurer
11 against claims filed as prescribed by law with the Director of the
12 Office of Management and Enterprise Services for approval and
13 payment.

14 B. The Department of Human Services is authorized to request in
15 writing that the monies appropriated by the provisions of this act
16 be deposited or transferred to the accounts created pursuant to
17 subsection A of this section. No later than seven (7) calendar days
18 from the date of such request, the Director of the Office of
19 Management and Enterprise Services shall comply with such request
20 and verify to the requesting agency that such deposit or transfer
21 has been completed.

22 SECTION 6. The Department of Human Services may enter into
23 memorandums of understanding with other agencies of the State of
24 Oklahoma for the auditing, documentation, evaluation,

1 implementation, oversight, reporting, and management of funds and
2 associated efforts related to the appropriations made in this act;
3 provided, no such memorandum of understanding shall require or
4 include, as an option or condition, the direct or practical transfer
5 or relinquishment of control by the agency appropriated such funds
6 to budget, expend, allocate, and request the distribution of the
7 funds appropriated by this act.

8 SECTION 7. The Department of Human Services may promulgate
9 rules, utilize existing rules, establish procedures, and utilize
10 existing procedures to implement the provisions of this act,
11 provided such rules and procedures do not conflict with or impede
12 the provisions of this act.

13 SECTION 8. The Department of Human Services shall retain no
14 more than two percent (2%) of the funds appropriated by this act to
15 reimburse:

- 16 1. Costs incurred by the Department of Human Services; or
 - 17 2. Costs incurred on the agency's behalf,
- 18 associated with the administration of the appropriated funds and
19 programming required by the Department of Human Services under the
20 provisions of this act; provided, no funds shall be retained that
21 would be disallowable under the provisions of the American Rescue
22 Plan Act of 2021.

23 SECTION 9. A. The Department of Human Services shall:
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1 1. Submit to the chairs of the Joint Committee on Pandemic
2 Relief Funding, or any successor of the Oklahoma State Senate or
3 Oklahoma House of Representatives legislative committee or joint
4 committee, as designated by the President Pro Tempore of the
5 Oklahoma State Senate and the Speaker of the Oklahoma House of
6 Representatives:

7 a. a written or electronic quarterly report detailing the
8 budgeting, expenditure, and management of all monies
9 appropriated in this act, and

10 b. a copy of all memorandums of understanding and
11 contracts with third parties entered into by the
12 Department of Human Services to facilitate, assist, or
13 administer powers and duties provided to the
14 Department of Human Services under the provisions of
15 this act; and

16 2. At the Joint Committee on Pandemic Relief Funding's request,
17 appear before the Joint Committee no later than six (6) months after
18 the effective date of this act, and as otherwise requested by the
19 Joint Committee to provide a status update regarding the
20 implementation of the provisions of this act.

21 B. The provisions of subsection A of this section shall remain
22 applicable for the period of time that monies appropriated under
23 this act are being budgeted, expended, or managed in the state. The
24 ending of such period shall be determined by the State Treasurer,

1 and shall be reported to the Governor, President Pro Tempore of the
2 Oklahoma State Senate, and the Speaker of the Oklahoma House of
3 Representatives.

4 SECTION 10. For all projects funded in this measure, if a
5 nonprofit 501(c)(3) organization may help implement the project, the
6 Department of Human Services shall require the nonprofit show that
7 it:

- 8 1. Provides direct services to residents of Oklahoma;
- 9 2. Is in good standing with the Office of the Secretary of
10 State;
- 11 3. Is in compliance with the applicable federal and Oklahoma
12 tax laws for years 2019, 2020, and 2021; and
- 13 4. Continues to provide its good standing with the Office of
14 the Secretary of State and is in compliance with applicable federal
15 and Oklahoma tax laws for all years the nonprofit is helping
16 implement the program.

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

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