

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL NO. 637

6 By: Garvin

7 COMMITTEE SUBSTITUTE

8 An Act relating to state government; creating the OK
9 to Relocate Act; providing short title; establishing
10 the OK to Relocate Fund; providing more maximum
11 deposits; authorizing the Oklahoma Department of
12 Commerce to establish a talent attraction program;
13 allocating funds necessary for program; providing for
14 the promulgation of rules; establishing criteria for
15 payment; providing exceptions; exempting certain
16 analysis; providing for codification; and providing
17 an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 5004.2 of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "OK to Relocate
23 Act".
24

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 5004.3 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 There is hereby created in the State Treasury a revolving fund
5 for the Oklahoma Department of Commerce to be designated the "OK to
6 Relocate Fund". The fund shall be a continuing fund, not subject to
7 fiscal year limitations, and shall consist of all monies received by
8 the Department of Commerce from Legislative appropriations
9 designated for deposit in the OK to Relocate Fund. All monies
10 accruing to the credit of the fund are hereby appropriated and may
11 be budgeted and expended by the Department of Commerce for the
12 purpose of implementing the provisions of the OK to Relocate Act.
13 Expenditures from the fund shall be made upon warrants issued by the
14 State Treasurer against claims filed as prescribed by law with the
15 Director of the Office of Management and Enterprise Services for
16 approval and payment. Total deposits to the OK to Relocate Fund
17 shall not exceed Sixteen Million Dollars (\$16,000,000.00). Payments
18 from the fund shall be made over a three-year period beginning on
19 the effective date of this act.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 5004.4 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Department of Commerce shall establish a talent
24 attraction program to be administered in accordance with this

1 section for the purpose of attracting out-of-state businesses to
2 this state, leading to the creation of new jobs, promoting
3 relocation of workforce to this state, and easing the burden on
4 employers by having individuals relocate and become residents of the
5 state.

6 B. In establishing the program, the Department shall determine
7 needs, priorities, or funding limits for the talent attraction of
8 out-of-state business. The Department may promulgate the rules
9 necessary to implement this program.

10 C. The Oklahoma Department of Commerce may use funds for
11 business and talent attraction including, but not limited to:

12 1. Advertising, promoting, or marketing that shall entice
13 individuals or businesses to relocate to this state, which shall not
14 be subject to the provisions of the Oklahoma Central Purchasing Act;
15 and

16 2. Reimbursing companies who have made payments to employees to
17 relocate to this state.

18 D. In order to be eligible for reimbursement, companies shall
19 give a bonus or some form of monetary incentive to each employee of
20 no less than Ten Thousand Dollars (\$10,000.00).

21 E. Only those employees that relocate from outside of the state
22 may be eligible to have a reimbursement paid to the company.

23 F. One (1) year after application, the company shall produce
24 all required documents as proof that the employees are residents of

1 this state and shall continue to be residents of this state for no
2 less than three (3) years after relocation.

3 G. After all proof of compliance by evidence of documents
4 submitted is reviewed, the Department may certify that the company
5 is still compliant and eligible for incentive payments.

6 H. Once the company receives this certification, the company
7 shall invoice the Department for the amount it is eligible to
8 receive as determined by the certification from the Department.

9 I. The Department shall reimburse the companies that have
10 received certification in the amount of Ten Thousand Dollars
11 (\$10,000.00) per employee verified as relocated from out of state,
12 with the following exceptions:

13 1. Only those employees that have signed an affidavit stating
14 that they shall remain Oklahoma residents for a minimum of three (3)
15 years shall be considered eligible for inclusion in a company's
16 reimbursement;

17 2. Employees shall relocate from outside of this state and
18 become Oklahoma residents with wages greater than the county average
19 wage; and

20 3. Companies may not be reimbursed for more than one hundred
21 (100) employees in a three-year period.

22 J. In the event that a company goes below the number of
23 employees for which it received an incentive payment after payment
24

1 has been disbursed, the company shall promptly notify the Department
2 and may be required to reimburse the state.

3 K. These funds are not subject to a benefit analysis and shall
4 not be added to any other benefit analysis in determining
5 eligibility of other incentives or credits.

6 SECTION 4. This act shall become effective November 1, 2023.

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