

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 2ND CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 3972

By: Echols, Cantrell, and
Townley of the House

and

Thompson (Roger) of the
Senate

7
8
9
10 2ND CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to state government; defining terms;
12 authorizing certain assignment of claims to the
13 Attorney General; providing scope of authority;
14 providing for limitations; providing public interest
15 standard; providing for applicability of law;
16 providing for codification; and declaring an
17 emergency.

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 20m of Title 74, unless there is
21 created a duplication in numbering, reads as follows:

22 A. As used in this section:

23 1. "Person" means a natural person, corporation, partnership,
24 limited liability company, proprietorship, association, municipal
corporation, including any public trust which has a municipal

1 corporation as its beneficiary, or other political subdivision of
2 this state, including any public trust which has a political
3 subdivision as its beneficiary, or any other legal entity; and

4 2. "Assignment" means the transfer of any claims, causes of
5 actions or rights held by a person against another party to the
6 State of Oklahoma by the Attorney General. Assignment completely
7 transfers the person's legal rights to the Attorney General and
8 creates privity between the Attorney General and the party against
9 whom the claims are instituted, authorizing the Attorney General to
10 stand in the shoes of the person. Assignment only includes
11 affirmative claims and not liabilities of the person as defined in
12 subsection D of Section 2013 of Title 12 of the Oklahoma Statutes.

13 B. 1. The State of Oklahoma, through the Attorney General, is
14 hereby explicitly authorized to accept assignments from any person,
15 as defined subsection A of this section, for the purpose of
16 representing said claims in legal matters or proceedings within the
17 jurisdiction of the State of Oklahoma.

18 2. Assignments to the State of Oklahoma shall be made in
19 accordance with applicable law.

20 C. 1. The Attorney General, upon accepting an assignment
21 pursuant to this section, shall have the authority to represent the
22 assigned claims in all legal matters or proceedings.

23 2. The Attorney General shall exercise the same duties and
24 responsibilities towards the assigned claims as towards any other

1 claims managed by the Office of the Attorney General, subject to the
2 terms and conditions of an assignment agreement.

3 D. 1. Nothing in this statute shall be construed to require
4 the Oklahoma Attorney General to accept any assignment, nor shall it
5 limit the Attorney General's discretion to decline an assignment for
6 any reason deemed appropriate by the Attorney General or his or her
7 designee.

8 2. Assigned claims are not subject to Section 20i of Title 74
9 of the Oklahoma Statutes.

10 3. All legal rights and benefits given to the Attorney General
11 shall remain in full force and effect for the assigned claims.

12 E. 1. In carrying out the provisions of this section, the
13 Office of the Attorney General shall only accept assignment when it
14 determines it is in the best interest of the public.

15 2. In determining the best interest of the public, the Attorney
16 General shall consider factors such as:

- 17 a. protection of public health, safety, and welfare;
- 18 b. economic vitality and job creation;
- 19 c. environmental sustainability, and
- 20 d. equity and fair treatment for all citizens.

21 F. The provisions of this section shall only apply when an
22 emergency is declared by the Governor pursuant to Executive Order as
23 a result of a natural disaster.

24

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5

6 59-2-11209 LRB 05/29/24

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24