

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1018

By: Wallace and Martinez of the
House

6 and

7 Thompson (Roger) and Hall
8 of the Senate

9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Center for the
11 Advancement of Science and Technology; making
12 appropriations; identifying source; establishing
13 amount; providing purpose; requiring and limiting the
14 utilization of funds; creating certain special
15 accounts; limiting duration of accounts; requiring
16 certain determination; providing and limiting the
17 nature of accounts and funds within accounts;
18 authorizing agency to submit request for certain
19 deposit or transfer; requiring certain compliance and
20 verification; authorizing certain memorandums of
21 understanding; limiting scope; prohibiting certain
22 memoranda terms; authorizing and limiting the
23 promulgation of rules and utilization of procedures;
24 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; providing for noncodification; and declaring
an emergency.

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

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 There is hereby appropriated to the Oklahoma Center for the
4 Advancement of Science and Technology from monies not otherwise
5 appropriated from the Statewide Recovery Fund of the State Treasury
6 created in Enrolled House Bill No. 3349 of the 2nd Session of the
7 58th Oklahoma Legislature, the sum of Five Million Dollars
8 (\$5,000,000.00) or so much thereof as may be necessary to a
9 nonprofit located in Northeast Oklahoma that focuses on helping
10 small business development to be used for adding additional physical
11 space and increasing program capacity allowing for increased
12 participation by business start-ups. Such funds shall be utilized
13 in a manner consistent with the recommendations adopted by the Joint
14 Committee on Pandemic Relief Funding on May 19, 2023.

15 SECTION 2. NEW LAW A new section of law not to be
16 codified in the Oklahoma Statutes reads as follows:

17 There is hereby appropriated to the Oklahoma Center for the
18 Advancement of Science and Technology from monies not otherwise
19 appropriated from the Statewide Recovery Fund of the State Treasury
20 created in Enrolled House Bill No. 3349 of the 2nd Session of the
21 58th Oklahoma Legislature, the sum of One Million Dollars
22 (\$1,000,000.00) or so much thereof as may be necessary to leverage
23 other funds used by the Oklahoma Center for the Advancement of
24 Science and Technology to provide technical assistance, training,

1 counseling, and other business assistance for entrepreneurs in
2 counties with a population of less than six hundred sixty-nine
3 thousand two hundred seventy-nine (669,279) according to the 2020
4 Federal Decennial Census. Such funds shall be utilized in a manner
5 consistent with the recommendations adopted by the Joint Committee
6 on Pandemic Relief Funding on May 19, 2023.

7 SECTION 3. NEW LAW A new section of law not to be
8 codified in the Oklahoma Statutes reads as follows:

9 There is hereby appropriated to the Oklahoma Center for the
10 Advancement of Science and Technology from monies not otherwise
11 appropriated from the Statewide Recovery Fund of the State Treasury
12 created in Enrolled House Bill No. 3349 of the 2nd Session of the
13 58th Oklahoma Legislature, the sum of Five Hundred Thousand Dollars
14 (\$500,000.00) or so much thereof as may be necessary to a nonprofit
15 located in Central Oklahoma that focuses on helping small business
16 development to be used for operational needs. Such funds shall be
17 utilized in a manner consistent with the recommendations adopted by
18 the Joint Committee on Pandemic Relief Funding on May 19, 2023.

19 SECTION 4. NEW LAW A new section of law not to be
20 codified in the Oklahoma Statutes reads as follows:

21 A. There is hereby created in the State Treasury a Statewide
22 Recovery Special Account for the Oklahoma Center for the Advancement
23 of Science and Technology for each appropriation section of this
24 act. The duration of such accounts shall continue for the period of

1 time that monies related to the American Rescue Plan Act of 2021 are
2 being budgeted, expended, or managed in the state. The ending of
3 such period shall be determined by the State Treasurer and shall
4 result in the closing of such accounts as a matter of law. Such
5 accounts shall be continuing accounts as otherwise provided in this
6 section, not subject to fiscal year limitations, and shall
7 exclusively consist of monies related to the relevant appropriations
8 made in this act and as otherwise directed by law. All monies
9 deposited to the credit of such accounts are hereby appropriated and
10 may be budgeted and expended by the Oklahoma Center for the
11 Advancement of Science and Technology in accordance with the
12 provisions of this act. Expenditures from such accounts shall be
13 made upon warrants issued by the State Treasurer against claims
14 filed as prescribed by law with the Director of the Office of
15 Management and Enterprise Services for approval and payment.

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

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1 SECTION 5. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 The Oklahoma Center for the Advancement of Science and
4 Technology may enter into memorandums of understanding with other
5 agencies of the State of Oklahoma for the auditing, documentation,
6 evaluation, implementation, oversight, reporting, and management of
7 funds and associated efforts related to the appropriations made in
8 this act; provided, that no such memorandum of understanding shall
9 require or include, as an option or condition, the direct or
10 practical transfer or relinquishment of control by the agency
11 appropriated such funds to budget, expend, allocate, and request the
12 distribution of the funds appropriated by this act.

13 SECTION 6. NEW LAW A new section of law not to be
14 codified in the Oklahoma Statutes reads as follows:

15 The Oklahoma Center for the Advancement of Science and
16 Technology may promulgate rules, utilize existing rules, establish
17 procedures, and utilize existing procedures to implement the
18 provisions of this act; provided, such rules and procedures do not
19 conflict with or impede the provisions of this act.

20 SECTION 7. NEW LAW A new section of law not to be
21 codified in the Oklahoma Statutes reads as follows:

22 The Oklahoma Center for the Advancement of Science and
23 Technology shall retain no more than two percent (2%) of the funds
24 appropriated by this act to reimburse:

1 1. Costs incurred by the Oklahoma Center for the Advancement of
2 Science and Technology; or

3 2. Costs incurred on the agency's behalf, associated with the
4 administration of the appropriated funds and programming required by
5 the Oklahoma Center for the Advancement of Science and Technology
6 under the provisions of this act; provided, that no funds shall be
7 retained that would be disallowable under the provisions of the
8 American Rescue Plan Act of 2021.

9 SECTION 8. NEW LAW A new section of law not to be
10 codified in the Oklahoma Statutes reads as follows:

11 A. The Oklahoma Center for the Advancement of Science and
12 Technology shall:

13 1. Submit to the Chairs of the Joint Committee on Pandemic
14 Relief Funding, or any successor Senate legislative or House of
15 Representatives legislative committee or joint committee, as
16 designated by the President Pro Tempore of the Senate and the
17 Speaker of the House of Representatives:

18 a. a written or electronic quarterly report detailing the
19 budgeting, expenditure, and management of all monies
20 appropriated in this act, and

21 b. a copy of all memorandums of understanding and
22 contracts with third parties entered into by the
23 Oklahoma Center for the Advancement of Science and
24 Technology to facilitate, assist, or administer powers

1 and duties provided to the Oklahoma Center for the
2 Advancement of Science and Technology under the
3 provisions of this act; and

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

9 B. The provisions of subsection A of this section shall remain
10 applicable for the period of time that monies appropriated under
11 this act are being budgeted, expended, or managed in the state. The
12 ending of such period shall be determined by the State Treasurer,
13 and shall be reported to the Governor, Speaker of the Oklahoma House
14 of Representatives, and the President Pro Tempore of the Oklahoma
15 State Senate.

16 SECTION 9. 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 59-1EX-50109 MKS 05/23/23
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