

1 ENGROSSED SENATE  
2 BILL NO. 40x

By: Thompson (Roger) and Hall  
of the Senate

3 and

4 Wallace, Martinez, and  
5 Swope of the House

6  
7 An Act relating to the Department of Human Services;  
8 making appropriations; identifying source;  
9 establishing amounts; providing purposes; requiring  
10 and limiting the utilization of funds; creating  
11 certain special accounts; limiting duration of  
12 accounts; requiring certain determinations; providing  
13 and limiting the nature of accounts and the funds  
14 within the accounts; authorizing agency to submit  
15 request for certain deposits or transfers; requiring  
16 certain compliance and verifications; authorizing  
17 certain memorandums of understanding; limiting scope;  
18 prohibiting certain memoranda terms; authorizing and  
19 limiting the promulgation of rules and utilization of  
20 procedures; authorizing and limiting the retention of  
21 monies for administration costs; requiring certain  
22 reports and submissions to certain entities;  
23 requiring appearance before certain joint committee;  
24 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:

SECTION 1. There is hereby appropriated to the Department of  
Human Services from any monies not otherwise appropriated from the  
Statewide Recovery Fund of the State Treasury created in Enrolled  
House Bill No. 3349 of the 2nd Session of the 58th Oklahoma  
Legislature, the sum of One Million Dollars (\$1,000,000.00) or so

1 much thereof as may be necessary to prepare more young adults with  
2 intellectual and developmental disabilities or autism to live and  
3 work independently. Such funds shall be utilized in a manner  
4 consistent with the recommendations adopted by the Joint Committee  
5 on Pandemic Relief Funding on May 19, 2023.

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

18 SECTION 3. There is hereby appropriated to the Department of  
19 Human Services from any monies not otherwise appropriated from the  
20 Statewide Recovery Fund of the State Treasury created in Enrolled  
21 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma  
22 Legislature, the sum of Three Million Eight Hundred Fourteen  
23 Thousand Nine Hundred Fifty Dollars (\$3,814,950.00) or so much  
24 thereof as may be necessary to support and expand proven-effective

1 programming for justice involved women in the Oklahoma City area and  
2 into rural areas of Oklahoma. Such funds shall be utilized in a  
3 manner consistent with the recommendations adopted by the Joint  
4 Committee on Pandemic Relief Funding on May 19, 2023.

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

15 SECTION 5. A. There is hereby created in the State Treasury a  
16 Statewide Recovery Special Account for each appropriation section in  
17 this act. The duration of such accounts shall continue for the  
18 period of time that monies related to the American Rescue Plan Act  
19 of 2021 are being budgeted, expended, or managed in the state. The  
20 ending of such period shall be determined by the State Treasurer,  
21 and shall result in the closing of such accounts as a matter of law.  
22 Such accounts shall be continuing accounts as otherwise provided in  
23 this section, not subject to fiscal year limitations, and shall  
24 exclusively consist of monies related to the relevant appropriations

1 made in this act and as otherwise directed by law. All monies  
2 deposited to the credit of such accounts are hereby appropriated and  
3 may be budgeted and expended by the Department of Human Services in  
4 accordance with the provisions of this act. Expenditures from such  
5 accounts shall be made upon warrants issued by the State Treasurer  
6 against claims filed as prescribed by law with the Director of the  
7 Office of Management and Enterprise Services for approval and  
8 payment.

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

17 SECTION 6. The Department of Human Services may enter into  
18 memorandums of understanding with other agencies of the State of  
19 Oklahoma for the auditing, documentation, evaluation,  
20 implementation, oversight, reporting, and management of funds and  
21 associated efforts related to the appropriations made in this act;  
22 provided, no such memorandum of understanding shall require or  
23 include, as an option or condition, the direct or practical transfer  
24 or relinquishment of control by the agency appropriated such funds

1 to budget, expend, allocate, and request the distribution of the  
2 funds appropriated by this act.

3 SECTION 7. The Department of Human Services may promulgate  
4 rules, utilize existing rules, establish procedures, and utilize  
5 existing procedures to implement the provisions of this act,  
6 provided such rules and procedures do not conflict with or impede  
7 the provisions of this act.

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

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

18 SECTION 9. A. The Department of Human Services shall:

- 19 1. Submit to the chairs of the Joint Committee on Pandemic  
20 Relief Funding, or any successor of the Oklahoma State Senate or  
21 Oklahoma House of Representatives legislative committee or joint  
22 committee, as designated by the President Pro Tempore of the  
23 Oklahoma State Senate and the Speaker of the Oklahoma House of  
24 Representatives:

- 1           a.    a written or electronic quarterly report detailing the  
2                    budgeting, expenditure, and management of all monies  
3                    appropriated in this act, and
- 4           b.    a copy of all memorandums of understanding and  
5                    contracts with third parties entered into by the  
6                    Department of Human Services to facilitate, assist, or  
7                    administer powers and duties provided to the  
8                    Department of Human Services under the provisions of  
9                    this act; and

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

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

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

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

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

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1 Passed the Senate the 24th day of May, 2023.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2023.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives