

1 (1ST EXTRAORDINARY SESSION)
2 ENGROSSED HOUSE
3 BILL NO. 1020

By: Wallace and Martinez of the
House

and

Thompson (Roger) and Hall
of the Senate

9 An Act relating to Oklahoma Department of Emergency
10 Management and Homeland Security; making an
11 appropriation; identifying source; establishing
12 amount; providing purpose; requiring and limiting the
13 utilization of funds; creating certain special
14 account; limiting duration of account; requiring
15 certain determination; providing and limiting the
16 nature of account and funds within account;
17 authorizing agency to submit request for certain
18 deposit or transfer; requiring certain compliance and
19 verification; authorizing certain memoranda of
20 understanding; limiting scope; prohibiting certain
21 memoranda terms; authorizing and limiting the
22 promulgation of rules and utilization of procedures;
23 authorizing and limiting the retention of monies for
24 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:

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

1 There is hereby appropriated to the Emergency Relief and Impacts
2 Revolving Fund created in Enrolled House Bill No. 1017 of the 1st
3 Extraordinary Session of the 59th Oklahoma Legislature, from any
4 monies not otherwise appropriated from the Statewide Recovery Fund
5 of the State Treasury created in Enrolled House Bill No. 3349 of the
6 2nd Session of the 58th Oklahoma Legislature, the sum of Twenty-five
7 Million Dollars (\$25,000,000.00) or so much thereof as may be
8 necessary to administer the Emergency Relief and Impacts Grant
9 Program. Such funds shall be utilized in a manner consistent with
10 the recommendations adopted by the Joint Committee on Pandemic
11 Relief Funding on May 19, 2023.

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

14 A. There is hereby created in the State Treasury a Statewide
15 Recovery Special Account for the Oklahoma Department of Emergency
16 Management and Homeland Security for each appropriation section of
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 appropriation

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 Oklahoma Department of Emergency
4 Management and Homeland Security in accordance with the provisions
5 of this act. Expenditures from such accounts shall be made upon
6 warrants issued by the State Treasurer against claims filed as
7 prescribed by law with the Director of the Office of Management and
8 Enterprise Services for approval and payment.

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

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

19 The Oklahoma Department of Emergency Management and Homeland
20 Security may enter into memoranda of understanding with other
21 agencies of the State of Oklahoma for the auditing, documentation,
22 evaluation, implementation, oversight, reporting, and management of
23 funds and associated efforts related to the appropriations made in
24 this act; provided, that no such memoranda of understanding shall

1 require or include, as an option or condition, the direct or
2 practical transfer or relinquishment of control by the agency
3 appropriated such funds to budget, expend, allocate, and request the
4 distribution of the funds appropriated by this act.

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

7 The Oklahoma Department of Emergency Management and Homeland
8 Security may promulgate rules, utilize existing rules, establish
9 procedures, and utilize existing procedures to implement the
10 provisions of this act; provided, such rules and procedures do not
11 conflict with or impede the provisions of this act.

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

14 The Oklahoma Department of Emergency Management and Homeland
15 Security shall retain no more than two percent (2%) of the funds
16 appropriated by this act to reimburse:

17 1. Costs incurred by the Oklahoma Department of Emergency
18 Management and Homeland Security; or

19 2. Costs incurred on the agency's behalf, associated with the
20 administration of the appropriated funds and programming required by
21 the Oklahoma Department of Emergency Management and Homeland
22 Security under the provisions of this act; provided, that no funds
23 shall be retained that would be disallowable under the provisions of
24 the American Rescue Plan Act of 2021.

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

3 A. The Oklahoma Department of Emergency Management and Homeland
4 Security shall:

5 1. Submit to the Chairs of the Joint Committee on Pandemic
6 Relief Funding, or any successor Oklahoma House of Representatives
7 or Oklahoma State Senate legislative committee or joint committee,
8 as designated by the Speaker of the Oklahoma House of
9 Representatives and the President Pro Tempore of the Oklahoma State
10 Senate:

11 a. a written or electronic quarterly report detailing the
12 budgeting, expenditure, and management of all monies
13 appropriated in this act, and

14 b. a copy of all memoranda of understanding and contracts
15 with third parties entered into by the Oklahoma
16 Department of Emergency Management and Homeland
17 Security to facilitate, assist, or administer powers
18 and duties provided to the Department under the
19 provisions of this act; and

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

1 B. The provisions of subsection A of this section shall remain
2 applicable for the period of time that monies appropriated under
3 this act are being budgeted, expended, or managed in the state. The
4 ending of such period shall be determined by the State Treasurer,
5 and shall be reported to the Governor, the Speaker of the Oklahoma
6 House of Representatives, and the President Pro Tempore of the
7 Oklahoma State Senate.

8 SECTION 7. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 Passed the House of Representatives the 24th day of May, 2023.

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14 _____
15 Presiding Officer of the House
16 of Representatives

17 Passed the Senate the ___ day of _____, 2023.

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20 Presiding Officer of the Senate

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