

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2937

By: Wallace and Caldwell (Trey)
of the House

and

Hall and Rosino of the
Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Pandemic Relief Primary Source
13 Revolving Fund; amending Enrolled House Bill No. 1022
14 of the 2nd Extraordinary Session of the 58th Oklahoma
15 Legislature; making an appropriation; identifying
16 sources; establishing amounts; providing purposes;
17 creating Statewide Recovery Special Accounts for the
18 Oklahoma Water Resources Board; making
19 appropriations; identifying source; establishing
20 amount; providing purpose; providing for
21 noncodification; providing an effective date; and
22 declaring an emergency.

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

24 SECTION 1. There is hereby amended Section 1 of Enrolled House
Bill No. 1022 of the 2nd Extraordinary Session of the 58th Oklahoma
Legislature, an appropriation to the Pandemic Relief Primary Source
Revolving Fund, created in Enrolled House Bill No. 1021 of the 2nd

1 Extraordinary Session of the 58th Oklahoma Legislature. There is
2 hereby appropriated to the Pandemic Relief Primary Source Revolving
3 Fund, created in Enrolled House Bill No. 1021 of the 2nd
4 Extraordinary Session of the 58th Oklahoma Legislature, from monies
5 not otherwise appropriated from the Statewide Recovery Fund of the
6 State Treasury created in Enrolled House Bill No. 3349 of the 2nd
7 Session of the 58th Oklahoma Legislature, the sum of Fifty Million
8 Dollars (\$50,000,000.00) to be administered in accordance with the
9 provisions of Enrolled House Bill No. 1021 of the 2nd Extraordinary
10 Session of the 58th Oklahoma Legislature

11 SECTION 2. There is hereby appropriated to the Pandemic Relief
12 Primary Source Revolving Fund, created in Enrolled House Bill No.
13 1021 of the 2nd Extraordinary Session of the 58th Oklahoma
14 Legislature, from interest monies not otherwise appropriated from
15 the Statewide Recovery Fund of the State Treasury created in
16 Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
17 Legislature, the sum of Ten Million Dollars (\$10,000,000.00) in
18 interest funds to be administered in accordance with the provisions
19 of Enrolled House Bill No. 1021 of the 2nd Extraordinary Session of
20 the 58th Oklahoma Legislature.

21 SECTION 3. There is hereby appropriated to the Oklahoma Water
22 Resources Board from any monies not otherwise appropriated from the
23 Statewide Recovery Fund of the State Treasury created in Enrolled
24 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma

1 Legislature, the sum of Ten Million Dollars (\$10,000,000.00) or so
2 much thereof as may be necessary to establish a grant program, and
3 to match tribal investment in rural water infrastructure projects.

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

6 A. There is hereby created in the State Treasury a Statewide
7 Recovery Special Account for the Oklahoma Water Resources Board for
8 each appropriation section of this act. The duration of such
9 accounts shall continue for the period of time that monies related
10 to the American Rescue Plan Act of 2021 are being budgeted,
11 expended, or managed in the state. The ending of such period shall
12 be determined by the State Treasurer, and shall result in the
13 closing of such accounts as a matter of law. Such accounts shall be
14 continuing accounts as otherwise provided in this section, not
15 subject to fiscal year limitations, and shall exclusively consist of
16 monies related to the relevant appropriations made in this act and
17 as otherwise directed by law. All monies deposited to the credit of
18 such accounts are hereby appropriated and may be budgeted and
19 expended by the Oklahoma Water Resources Board in accordance with
20 the provisions of this act. Expenditures from such accounts shall
21 be made upon warrants issued by the State Treasurer against claims
22 filed as prescribed by law with the Director of the Office of
23 Management and Enterprise Services for approval and payment.

24

1 B. The Oklahoma Water Resources Board is authorized to request
2 in writing that the monies appropriated by the provisions of this
3 act be deposited or transferred to the accounts created pursuant to
4 subsection A of this section. No later than seven (7) calendar days
5 from the date of such request, the Director of the Office of
6 Management and Enterprise Services shall comply with such request
7 and verify to the requesting agency that such deposit or transfer
8 has been completed.

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

11 The Oklahoma Water Resources Board may enter into memorandums of
12 understanding with other agencies of the State of Oklahoma for the
13 auditing, documentation, evaluation, implementation, oversight,
14 reporting, and management of funds and associated efforts related to
15 the appropriations made in this act; provided, that no such
16 memorandum of understanding shall require or include, as an option
17 or condition, the direct or practical transfer or relinquishment of
18 control by the agency appropriated such funds to budget, expend,
19 allocate, and request the distribution of the funds appropriated by
20 this act.

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

23 The Oklahoma Water Resources Board may promulgate rules, utilize
24 existing rules, establish procedures, and utilize existing

1 procedures to implement the provisions of this act; provided, such
2 rules and procedures do not conflict with or impede the provisions
3 of this act.

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

6 The Oklahoma Water Resources Board is authorized to enter into
7 contracts with financial institutions and execute such instruments
8 as may be necessary and convenient to hold and disseminate grant
9 funds in accordance with applicable federal and state regulations
10 and Board policies.

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

13 From the funds appropriated by Section 3 of this act, the
14 Oklahoma Water Resources Board shall retain no more than four
15 percent (4%) of the funds appropriated by this act to reimburse:

- 16 1. Costs incurred by the Oklahoma Water Resources Board; or
- 17 2. Costs incurred on the agency's behalf,

18 associated with the administration of the appropriated funds and
19 programming required by the Oklahoma Water Resources Board under the
20 provisions of this act; provided, that no funds shall be retained
21 that would be disallowable under the provisions of the American
22 Rescue Plan Act of 2021.

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

1 A. The Oklahoma Water Resources Board shall:

2 1. Submit to the Chairs of the Joint Committee on Pandemic
3 Relief Funding, or any successor Senate legislative or House of
4 Representatives legislative committee or joint committee, as
5 designated by the President Pro Tempore of the Senate and the
6 Speaker of the House of Representatives:

7 a. a written or electronic quarterly report detailing the
8 budgeting, expenditure, and management of all monies
9 appropriated in this act, and

10 b. a copy of all memorandums of understanding and
11 contracts with third parties entered into by the
12 Oklahoma Water Resources Board to facilitate, assist,
13 or administer powers and duties provided to the
14 Oklahoma Water Resources Board under the provisions of
15 this act; and

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

21 B. The provisions of subsection A of this section shall remain
22 applicable for the period of time that monies appropriated under
23 this act are being budgeted, expended, or managed in the state. The
24 ending of such period shall be determined by the State Treasurer,

1 and shall be reported to the Governor, President Pro Tempore of the
2 Senate and the Speaker of the House of Representatives.

3 SECTION 10. This act shall become effective July 1, 2024.

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

8

9 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
10 AND BUDGET, dated 05/27/2024 - DO PASS, As Amended.

11

12

13

14

15

16

17

18

19

20

21

22

23

24