

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                 STATE OF OKLAHOMA

3                         1st Session of the 59th Legislature (2023)

4     ENGROSSED SENATE

5     BILL NO. 40x

By: Thompson (Roger) and Hall  
of the Senate

6                                                 and

7                                                 Wallace, Martinez, and  
8                                                 Swope of the House

9

10            An Act relating to the Department of Human Services;  
11            making appropriations; identifying source;  
12            establishing amounts; providing purposes; requiring  
13            and limiting the utilization of funds; creating  
14            certain special accounts; limiting duration of  
15            accounts; requiring certain determinations; providing  
16            and limiting the nature of accounts and the funds  
17            within the accounts; authorizing agency to submit  
18            request for certain deposits or transfers; requiring  
19            certain compliance and verifications; authorizing  
20            certain memorandums of understanding; limiting scope;  
21            prohibiting certain memoranda terms; authorizing and  
22            limiting the promulgation of rules and utilization of  
23            procedures; authorizing and limiting the retention of  
24            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; establishing requirements; and  
          declaring an emergency.

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

23            SECTION 1. There is hereby appropriated to the Department of  
24     Human Services from any monies not otherwise appropriated from the

1 Statewide Recovery Fund of the State Treasury created in Enrolled  
2 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma  
3 Legislature, the sum of One Million Dollars (\$1,000,000.00) or so  
4 much thereof as may be necessary to prepare more young adults with  
5 intellectual and developmental disabilities or autism to live and  
6 work independently. Such funds shall be utilized in a manner  
7 consistent with the recommendations adopted by the Joint Committee  
8 on Pandemic Relief Funding on May 19, 2023.

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

21 SECTION 3. There is hereby appropriated to the Department of  
22 Human Services 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 Three Million Eight Hundred Fourteen  
2 Thousand Nine Hundred Fifty Dollars (\$3,814,950.00) or so much  
3 thereof as may be necessary to support and expand proven-effective  
4 programming for justice involved women in the Oklahoma City area and  
5 into rural areas of Oklahoma. Such funds shall be utilized in a  
6 manner consistent with the recommendations adopted by the Joint  
7 Committee on Pandemic Relief Funding on May 19, 2023.

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

18 SECTION 5. A. There is hereby created in the State Treasury a  
19 Statewide Recovery Special Account for each appropriation section in  
20 this act. The duration of such accounts shall continue for the  
21 period of time that monies related to the American Rescue Plan Act  
22 of 2021 are being budgeted, expended, or managed in the state. The  
23 ending of such period shall be determined by the State Treasurer,  
24 and shall result in the closing of such accounts as a matter of law.

1 Such accounts shall be continuing accounts as otherwise provided in  
2 this section, not subject to fiscal year limitations, and shall  
3 exclusively consist of monies related to the relevant appropriations  
4 made in this act and as otherwise directed by law. All monies  
5 deposited to the credit of such accounts are hereby appropriated and  
6 may be budgeted and expended by the Department of Human Services in  
7 accordance with the provisions of this act. Expenditures from such  
8 accounts shall be made upon warrants issued by the State Treasurer  
9 against claims filed as prescribed by law with the Director of the  
10 Office of Management and Enterprise Services for approval and  
11 payment.

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

20 SECTION 6. The Department of Human Services may enter into  
21 memorandums of understanding with other agencies of the State of  
22 Oklahoma for the auditing, documentation, evaluation,  
23 implementation, oversight, reporting, and management of funds and  
24 associated efforts related to the appropriations made in this act;

1 provided, no such memorandum of understanding shall require or  
2 include, as an option or condition, the direct or practical transfer  
3 or relinquishment of control by the agency appropriated such funds  
4 to budget, expend, allocate, and request the distribution of the  
5 funds appropriated by this act.

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

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

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

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

- 22 1. Submit to the chairs of the Joint Committee on Pandemic  
23 Relief Funding, or any successor of the Oklahoma State Senate or  
24 Oklahoma House of Representatives legislative committee or joint

1 committee, as designated by the President Pro Tempore of the  
2 Oklahoma State Senate and the Speaker of the Oklahoma House of  
3 Representatives:

4 a. a written or electronic quarterly report detailing the  
5 budgeting, expenditure, and management of all monies  
6 appropriated in this act, and

7 b. a copy of all memorandums of understanding and  
8 contracts with third parties entered into by the  
9 Department of Human Services to facilitate, assist, or  
10 administer powers and duties provided to the  
11 Department of Human Services under the provisions of  
12 this act; and

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

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

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

5 1. Provides direct services to residents of Oklahoma;

6 2. Is in good standing with the Office of the Secretary of  
7 State;

8 3. Is in compliance with the applicable federal and Oklahoma  
9 tax laws for years 2019, 2020, and 2021; and

10 4. Continues to provide its good standing with the Office of  
11 the Secretary of State and is in compliance with applicable federal  
12 and Oklahoma tax laws for all years the nonprofit is helping  
13 implement the program.

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

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19 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS  
20 AND BUDGET, dated 05/23/2023 - DO PASS, As Amended.

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