

1 **SENATE FLOOR VERSION**
February 26, 2025
2 **AS AMENDED**

3 SENATE BILL NO. 574

By: Haste of the Senate

4 and

5 Roe of the House

6
7
8 **[Attorney General - definitions - Revolving Fund -**
9 **approval of projects - accrual of income and**
10 **investment return - grants - provisions - effective**
11 **date]**

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

13 SECTION 1. AMENDATORY 74 O.S. 2021, Section 30.5, as
14 last amended by Section 3, Chapter 124, O.S.L. 2024 (74 O.S. Supp.
15 2024, Section 30.5), is amended to read as follows:

16 Section 30.5. As used in the Political Subdivisions Opioid
17 Abatement Grants Act:

- 18 1. "Approved purpose" and "approved purposes" mean evidence-
19 based, forward-looking strategies, programming and services used to:
- 20 a. expand the availability of treatment for individuals
21 affected by opioid use disorders, co-occurring
22 substance use disorders and mental health issues,
 - 23 b. develop, promote and provide evidence-based opioid use
24 prevention strategies,

- 1 c. provide opioid use disorder and co-occurring substance
2 use disorder avoidance and awareness education,
- 3 d. decrease the oversupply of licit and illicit opioids,
- 4 e. support recovery from addiction services performed by
5 qualified and appropriately licensed providers,
- 6 f. treat opioid use, abuse and disorders including early
7 intervention screening, counseling and support,
- 8 g. support individuals in treatment and recovery from
9 opioid use, abuse and disorder,
- 10 h. provide programs or services to connect individuals
11 with opioid use, abuse or disorder, or who are at risk
12 of developing opioid use disorder, co-occurring
13 substance use disorder and mental health issues, with
14 treatment and counseling programs and services,
- 15 i. address the needs of individuals who are involved, or
16 who are at risk of becoming involved, in the criminal
17 justice system due to opioid use, abuse or disorder
18 through programs or services in municipal and county
19 criminal judicial systems including prearrest and
20 postarrest diversion programs, pretrial services and
21 drug or recovery courts,
- 22 j. address the needs of pregnant or parenting women with
23 opioid use, abuse or disorder and their families,
- 24

- 1 k. address the needs of parents and caregivers caring for
2 babies with neonatal abstinence syndrome,
- 3 l. support efforts to prevent overprescribing and ensure
4 appropriate prescribing and dispensing of opioids,
- 5 m. support efforts to discourage or prevent misuse of
6 opioids including the oversupply of licit and illicit
7 opioids,
- 8 n. support efforts to prevent or reduce overdose deaths
9 or other opioid-related harms including through
10 increased availability and distribution of naloxone
11 and other drugs that treat overdoses for use by first
12 responders, persons who have experienced an overdose
13 event, families, schools, community-based service
14 providers, social workers and other members of the
15 public,
- 16 o. reimburse or fund law enforcement and emergency
17 responder expenditures relating to the opioid epidemic
18 including costs of responding to emergency medical or
19 police calls for service, equipment, treatment or
20 response alternatives, mental health response training
21 and training for law enforcement and emergency
22 responders as to appropriate practices and precautions
23 when dealing with opioids or individuals who are at
24 risk of opioid overdose or death,

- 1 p. reimburse attorney fees and allowable expenses
2 directly related to opioid litigation incurred as part
3 of legal services agreements entered into before May
4 21, 2020,
- 5 q. support efforts to provide leadership, planning and
6 coordination to abate the opioid epidemic through
7 activities, programs or strategies for prevention and
8 recovery models including regional intergovernmental
9 efforts and not-for-profit agency support,
- 10 r. support education of youths regarding the dangers of
11 opioid use, abuse and addiction,
- 12 s. fund training relative to any approved purpose,
- 13 t. monitor, surveil and evaluate opioid use, abuse or
14 disorder,
- 15 u. provide educational and health care services related
16 to nonopioid treatment alternatives, or
- 17 v. provide opioid abatement as identified by the Oklahoma
18 Opioid Abatement Board as consistent with the purpose
19 of the Political Subdivisions Opioid Abatement Grants
20 Act.

21 Provided that, such strategies, programming and services occurred on
22 or after January 1, 2015.

1 Approved purpose also includes any approved uses as authorized
2 by opioid-related settlement agreements in which the State of
3 Oklahoma is a litigant or participant;

4 2. "Board" means the Oklahoma Opioid Abatement Board;

5 3. "Eligible participant" means any political subdivision
6 impacted by the opioid crisis;

7 4. "Nonapproved purpose" and "nonapproved purposes" mean
8 strategies, programming and services not falling within the
9 definition of approved purpose or approved purposes as defined in
10 this section;

11 5. "Opioid funds" means all monetary amounts obtained through a
12 settlement or judgment by the Attorney General on behalf of this
13 state related to opioid litigation involving pharmaceutical supply
14 chain participants including the Purdue Political ~~Subdivisions~~
15 Subdivision Fund but excluding all other funds received pursuant to
16 the Purdue Settlement Agreement;

17 6. "Opioid grant awards" means grants funded from the Oklahoma
18 Opioid Abatement Revolving Fund, awarded pursuant to the provisions
19 of the Political Subdivisions Opioid Abatement Grants Act;

20 7. "Pharmaceutical supply chain" means the process and channels
21 through which controlled substances are manufactured, marketed,
22 promoted, distributed or dispensed;

1 8. "Pharmaceutical supply chain participant" means any entity
2 that engages in or has engaged in the manufacture, marketing,
3 promotion, distribution or dispensing of an opioid analgesic;

4 9. "Political subdivision" and "political subdivisions" have
5 the same meaning as provided in subparagraphs a, b, c and d of
6 paragraph 11 of Section 152 of Title 51 of the Oklahoma Statutes.
7 Political subdivision also means the board of regents or board of
8 trustees of a state educational institution which is a member of The
9 Oklahoma State System of Higher Education;

10 10. "Purdue Political Subdivision Fund" means the Twelve
11 Million Five Hundred Thousand Dollars (\$12,500,000.00) ~~plus any~~
12 ~~interest accrued thereon received from the Revive Oklahoma Health~~
13 ~~Foundation consisting~~ of funds received from the Purdue Settlement
14 Agreement designed for distribution to political subdivisions which
15 have executed a release of legal claims as required by the Purdue
16 Settlement Agreement; and

17 11. "Purdue Settlement Agreement" means the settlement
18 agreement entered into by this state and Purdue Pharma L.P., Purdue
19 Pharma, Inc. and the Purdue Frederick Company on March 26, 2019, and
20 approved by the Court on April 2, 2019.

21 SECTION 2. AMENDATORY 74 O.S. 2021, Section 30.6, is
22 amended to read as follows:

23 Section 30.6. A. There is hereby created in the State Treasury
24 a revolving fund for the Office of the Attorney General to be

1 designated the "Oklahoma Opioid Abatement Revolving Fund". The fund
2 shall be a continuing fund, not subject to fiscal year limitations,
3 and shall consist of all opioid funds obtained through a settlement
4 or judgment by the Attorney General on behalf of the State of
5 Oklahoma related to opioid litigation involving pharmaceutical
6 supply chain participants:

- 7 1. Designated for deposit in the fund; or
- 8 2. Appropriated to the fund by the Legislature.

9 B. Provided that the Purdue Political ~~Subdivisions~~ Subdivision
10 Fund shall be maintained in a segregated State Treasury fund within
11 the Oklahoma Opioid Abatement Revolving Fund, and that the Purdue
12 Political ~~Subdivisions~~ Subdivision Fund shall not be commingled with
13 other opioid funds deposited in or appropriated to the Oklahoma
14 Opioid Abatement Revolving Fund.

15 C. The Office of the Attorney General may use not more than ten
16 percent (10%) of the funds appropriated to the Oklahoma Opioid
17 Abatement Revolving Fund for statewide opioid abatement projects
18 that constitute an approved use under the Political Subdivisions
19 Opioid Abatement Grants Act. **The Oklahoma Opioid Abatement Board**
20 **shall approve all statewide opioid abatement projects described in**
21 **this subsection.**

22 **D. Notwithstanding any other provisions of law, income and**
23 **investment return on fund principal shall accrue to the fund.**

24

1 **E.** All monies accruing to the credit of the fund are hereby
2 appropriated and may be budgeted and expended by the Attorney
3 General for the purpose of funding opioid grant awards as authorized
4 by ~~this act~~ the Political Subdivisions Opioid Abatement Grants Act.

5 SECTION 3. AMENDATORY 74 O.S. 2021, Section 30.8, as
6 amended by Section 2, Chapter 75, O.S.L. 2022 (74 O.S. Supp. 2024,
7 Section 30.8), is amended to read as follows:

8 Section 30.8. A. 1. The Oklahoma Opioid Abatement Board shall
9 conduct ~~an initial disbursement~~ one or more disbursements of opioid
10 grant awards to participating eligible participants. Such opioid
11 grant awards shall be allocated amongst the different participating
12 eligible participants based on the following criteria:

- 13 a. the number of people per capita suffering from opioid
14 use disorder in the participating political
15 subdivision, or in the absence of such information,
16 the opioid prescription rate in the political
17 subdivision compared to the national average opioid
18 prescription rate,
- 19 b. the number of opioid overdose deaths in the
20 participating political subdivision,
- 21 c. the amount of opioids distributed within the
22 participating political subdivision, ~~and~~
- 23 d. the amount of attorney fees and allowable expenses
24 associated with legal services agreements directly

1 related to opioid litigation incurred as part of legal
2 services agreements entered into before May 21, 2020,

3 or

4 e. any other criteria established by the Board.

5 2. Grant awards shall be subject to legal services agreements
6 entered into by eligible participants.

7 3. ~~Initial opioid~~ Opioid grant awards as provided for in this
8 subsection shall be listed in an opioid grant award distribution
9 table reviewed and approved by the Board to ensure that such awards
10 adhere to the criteria adopted by the Board.

11 B. ~~Following the awarding of opioid grant awards pursuant to~~
12 ~~subsection A of this section, any remaining unencumbered balance in~~
13 Funds accrued in the Oklahoma Opioid Abatement Revolving Fund shall
14 be available to the Board to award as grants to eligible
15 participants; ~~provided such awards shall only be utilized by~~
16 ~~eligible participants~~ for approved purposes.

17 C. In the event an eligible participant merges, dissolves or
18 ceases to exist, any remaining allocations of an awarded opioid
19 grant award in excess of Five Hundred Dollars (\$500.00) shall be
20 reallocated equitably based on the composition of the successor
21 eligible participant or the successor eligible participants.

22 SECTION 4. This act shall become effective November 1, 2025.

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
24 February 26, 2025 - DO PASS AS AMENDED